Minnesota. Board of Animal Health. Minutes.

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MINUTES OF THE DEFERRED QUARTERLY BOARD MEETING OF THURSDAY, JANUARY 28, 1982

The meeting was called to order by President Mersch at 9:25 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. K. E. Neeser and Mr. Jerry Rypka. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

NEW BOARD MEMBER: MR. K. E. NEESER

Dr. Mersch introduced Mr. Kenneth E. Neeser of St. Cloud who was appointed by the Governor effective January 4, 1982 for a term expiring on the first Monday in January, 1986. Mr. Neeser operates a dairy and poultry enterprise at St. Cloud.

MINUTES OF THE DEFERRED QUARTERLY BOARD MEETING OF OCTOBER 23, 1981

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

ADOPTION OF 3 MCAR § 2.057 QUARANTINED FEEDLOTS

Dr. Pyle said that a public hearing to consider amendment of this rule was held on November 17, 1981. Copies of the proposed rule and the Hearing Examiner's Report were sent to each Board Member prior to the meeting. The Hearing Examiner recommended the amendments that were proposed at the hearing. Mr. Rypka moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.057 Quarantined Feedlots hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes section 35.03 1980 and that Dr. R. L. Mersch, the president of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Neeser. Motion carried.

STATE FAIR INSPECTION

Present for this discussion were Mr. Steve Pooch, Minnesota State Fair Competitive Exhibits Coordinator, Dr. G. E. Keller and Dr. D. B. Hicks, State District Veterinarian.

The Secretary said that at the legislative hearings that were held to consider the budget reductions for the present biennium, both the Senate Finance Sub-committee and the House Appropriations Sub-committee directed that the Board of Animal Health charge the State Agricultural Society for inspection services that it provides on the State Fairgrounds during the State Fair. The Secretary distributed copies of page 4 of the appropriations bill outlining the reductions in the biennial budget for the present biennium. Lines 36-39 provide as follows:

(o) Animal Health, Board of	(158,800)	(163,000)
The state agricultural society shall reimburse the Board for services it provides on the state fairgrounds.		

The Secretary also distributed copies of the Board's costs for State Fair inspection for 1979, '80 and '81. These costs include salaries (regular hours, compensatory time and overtime), motel expense, meals, mileage, parking, and admission tickets. The costs were as follows:

1979	$6,756.07
1980	$8,169.91 - increase of 17%
1981	$9,985.62 - increase of 18%
Projected cost for 1982	$11,483.46 - estimated increase of 15%

The Secretary said that even if the State Fair did reimburse the Board for all expenses, the reimbursement would not revert to the Board but would go into the General Fund. Mr. Pooch expressed the opinion that the State Fair could have the inspections carried out by private veterinarians for about half the cost as outlined by the Secretary. After some discussion, Mr. Rypka moved that the State Fair be permitted to employ private veterinary practitioners as official veterinarians that would carry out the inspection duties at the State Fair in the future. The motion was seconded by Dr. Contag. Motion carried.

"BULL LICENSE LAW": PROPOSED REPEAL

The Secretary distributed copies of a letter and questionnaire that was mailed out on December 18, 1981 to the 39 individuals licensed in accordance with the

provisions of Minnesota Statutes, section 35.695. The law has been in effect since 1965 and the number of licensees has dropped from 101 in 1969 to 39 in 1981 with a drop in individual bull registrations from 1,351 to 417 in the same period. The questionnaire indicated the following:

27 in favor of repealing the law,

3 in favor of keeping the law in effect,

1 no vote,

8 questionnaire not returned.

Senator Setzepfandt agreed to introduce a bill to repeal the law if it met with the approval of the Minnesota Veterinary Medical Association. A copy of a proposed resolution was distributed to all Board members. The resolution was to be presented at the business session of the MVMA on Friday, January 29, 1982. The resolution outlines the history and the provisions of the present law, and resolves that the Minnesota Veterinary Medical Association support and recommend the action taken by the Board of Animal Health to institute the repeal of the "Bull License Law".

Mr. Neeser moved that the Board recommend that Minnesota Statutes, Chapter 35, section 35.695 requiring the licensing of persons renting, leasing or loaning bulls and requiring the individual registration of each bull be repealed, and further that the Secretary be authorized to take the necessary action to accomplish this repeal. The motion was seconded by Mr. Rypka. Motion carried.

BRUCELLOSIS RETEST: IMPORTED CATTLE

The Secretary distributed copies of the list of Brucellosis Quarantined Herds for all states as of November 30, 1981. The proposed amendments to the Brucellosis Uniform Methods and Rules strongly recommend that cattle imported from "A" states be quarantined for a 45-120 day brucellosis retest. "A" states are those having a herd infection rate of 2.5 herds per thousand or less. The November 30, 1981 list would include 31 states in the "A" category with the number of infected herds ranging from 1 to 214 in a state. Nine "A" states would have an infection rate of less than the present infection rate in Minnesota.

3 MCAR § 2.001 Importation of Cattle and Bison provides that cattle imported from states that are not certified Brucellosis Free are to be quarantined for a brucellosis retest in 45-120 days. This would require a brucellosis retest of all cattle imported from the 30 states that would be listed as "A" states.

The states of Illinois, Iowa, Michigan and Wisconsin have agreed to place a brucellosis retest quarantine on cattle from those states having a herd infection rate of .5 per thousand or more.

A copy of page 26 of the Board's annual report for 1980-81 was distributed to all Board members. This page shows the number of dairy and breeding cattle that were imported into Minnesota from each state. Using the figures on that sheet, retests of cattle from "A" states would be 30,130. Retesting only those from states with an infected herd rate of .5 herds per thousand or more would require 14,162 retests. The Secretary said that it would be difficult to make a decision based on the amended Brucellosis Uniform Methods and Rules since they were still in the process of being amended, and it would now appear as if they may not become effective for several months. The Board took no action but the Secretary was directed to place this matter on the agenda for consideration at the next Board meeting.

AUTHORIZATION FOR PUBLIC HEARING: 3 MCAR § 2.005 IMPORTATION OF SWINE INTO MINNESOTA

Copies of the proposed amendments were sent to all Board members prior to the meeting. Dr. Pyle explained that the purpose of the amendment was to allow for the importation of swine from a non-quarantined herd in a validated brucellosis-free state without the necessity of a brucellosis test within 30 days. All of the states adjacent to Minnesota are validated brucellosis-free. Mr. Rypka moved that the proposed amendments be accepted by the Board, that the Secretary be directed to proceed without a hearing in accordance with the provisions of Minnesota Statutes 1980, Section 15.0412, Sub-division 4 (h), and that the following resolution be adopted by the Board:

"RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, be and he hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing amendments to 3 MCAR §§ 2.005 Governing the Importation of Swine into Minnesota, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of amending said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Neeser. Motion carried.

AUTHORITY OF BOARD OF ANIMAL HEALTH: RECOMMENDATION TO AMEND

Mr. Jon Murphy, Special Assistant Attorney General, said that Minnesota Statutes 1980, Chapter 35 delegates certain powers to the Board but lacks effective remedies and enforcement procedures. He suggested that the Statutes be amended, clearly spelling out the powers of the Board with reference to obtaining injunctions, issuance of cease and desist orders, changing civil penalties and making such other changes as may be deemed appropriate. Mr. Murphy said that he would be available to work with the Board in amending the statutes. The Secretary was directed to cooperate with Mr. Murphy and to keep the Board informed of any progress that is being made. It was suggested that the matter again be considered at the next Board meeting.

RELEASE OF PRV QUARANTINES

Dr. Mackey distributed copies of 3 MCAR §§ 2.024 Control of Pseudorabies. Section B. 4. provides for the placing of quarantines on all swine herds in which a reactor to an official pseudorabies test is disclosed. Dr. Mackey said that swine in two herds that had been vaccinated for PRV were inadvertently tested for PRV. The testing veterinarians went back to the herds and tested several animals that were not vaccinated and in both herds these tests were negative. The veterinarians involved were requesting that the quarantines on these two herds be released and had asked Dr. Mackey to submit their requests

to the Board for consideration. After considerable discussion, it was the consensus of opinion that the Board had no choice but to comply with the provisions of rule 2.024.

OFFICIAL EAR TAGS: PROPOSAL TO AMEND 3 MCAR § 2.062

At the Board meeting of October 23, 1981, the Secretary was authorized to prepare a proposed amendment to rule 2.062 to be sent out to each Board member prior to the next Board meeting. After consideration of the proposed amendment, the Secretary was instructed to rework the amendment and place it on the agenda for reconsideration at the next Board meeting.

PSEUDORABIES ADVISORY COMMITTEE

Dr. Mackey said that the first meeting of the Advisory Committee was held at the Radisson South Hotel on Wednesday, January 20, 1982. In spite of the severe weather, 16 of the 20 members and 1 of the resource members attended the meeting. Dr. R. A. Martens of Nicollet was elected Chairman, Mr. Linden Olson of Worthington was elected Vice-Chairman and Dr. W. J. Mackey was designated Secretary. The Committee decided to conduct a survey by sending out a questionnaire to all of the Minnesota swine herds that had ever been put under quarantine for pseudorabies. The questionnaire would be sent to all accredited veterinarians in Minnesota via the BAH Newsletter, and would also be sent out by the Minnesota Pork Producer's Association to the pork producers in Minnesota. A second meeting of the Committee would not be held until the results of the survey were available.

Copies of a proposed "Organization and Function of the PRV Advisory Committee" were distributed to all Board members. Two changes were suggested. In Section III (1) the term of office for the Chairman and Vice-Chairman should be specified as two years. Also in III (4) a quorum shall consist of eleven voting members rather than 10. Dr. Contag moved that the Board adopt the proposed "Organization and Function of the PRV Advisory Committee" incorporating the two amendments. The motion was seconded by Mr. Neeser. Motion carried.

BUDGET REDUCTION: FY '82 - '83

Copies of an office memorandum written by the Secretary on December 15, 1981 to all BAH veterinarians and Law Compliance Representatives had been sent to each Board member prior to the meeting. This memo outlined all of the steps that were being taken to reduce expenditures in line with the 12.4% reduction mandated by the Governor:

1. Complement: Three vacancies to be left unfilled with two more to be created by attrition.
2. Backtagging: Payment for application discontinued December 1, 1981.
3. Willmar Poultry Laboratory: 10% reduction in operating expense.
4. Indemnity: Will be used only for infected animals. No funds for depopulation of negative animals in infected herds.
5. Out-of-state Travel: Cancelled except for trips authorized by Board action.
6. University Field Trips: Cancelled except for emergencies.
7. Fee Testing: Cancelled except for emergencies.
8. In-state Mileage: 10% reduction.

Mr. Kirchoff distributed copies of the 1982 Budget Reduction to all Board members:

Salaries	$ 57,553.50
Poultry Laboratory - Willmar	7,309.00
Backtagging Cancellations	60,130.08
Out-state Travel	2,664.42
Department Head Expense	600.00
All Equipment	500.00
Indemnities	30,000.00
TOTAL 1982 BUDGET REDUCTION	$158,757.00

The total proposed reduction for the two fiscal years is as follows:

Fiscal year '82	$158,757.00
Fiscal year '83	$162,998.00
Fiscal year '81 deficit	$ 86,000.00
	$407,755.00

ELECTION OF VICE-PRESIDENT

The expiration of Mrs. Lindberg's term created a vacancy in the office of Vice-President. Mr. Rypka nominated Dr. Contag for Vice-President. Mr. Neeser moved that nominations cease and that the nominee be declared elected Vice-President. The motion was seconded by Mr. Rypka. Motion carried.

NEXT MEETING

The next meeting was tentatively scheduled for the regular date of Friday, April 16, 1982.

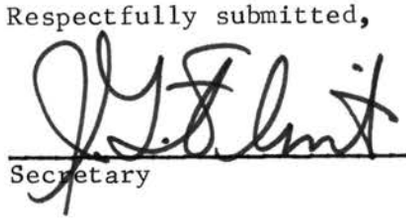
JULY MEETING DATE

The July meeting would normally be held on Friday, July 16. President Mersch said that he would be attending the AVMA meeting on that date and suggested that the meeting be held either on July 9 or deferred to August 6 or August 13. The Secretary was instructed to take the necessary steps that would be required in holding a meeting prior to the regularly scheduled date.

There being no further business to come before the Board, Mr. Rypka moved that the meeting be adjourned. The motion was seconded by Mr. Neeser. Motion carried.

The meeting adjourned at 3:50 p.m.

Respectfully submitted,



Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 16, 1982

The meeting was called to order by President Mersch at 9:35 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

MINUTES OF THE DEFERRED QUARTERLY BOARD MEETING OF JANUARY 28, 1982

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections of the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

LEGISLATIVE AUDITOR'S REPORT: MR. DAVID B. FALCONER

Present for this discussion was Miss Shari Render, Labor Relations representative of the Department of Employee Relations. The Secretary distributed copies of the report of the Legislative Auditor dated March 16, 1982. Mr. Falconer testified that he had intentionally falsified his daily and bi-weekly time reports from October, 1981 through February 9, 1982. He also falsified daily mileage and odometer readings on his daily reports and travel logs for his state vehicle in the amount of 4,397 miles. Falsification of his time records caused the Board of Animal Health to overpay Mr. Falconer approximately $1,475.00 (not including fringe benefits) according to his estimate. The report states that it appears that Mr. Falconer's actions constitute misconduct of a public employee as provided in M.S. Section 609.43 (4).

The Secretary said that Mr. Falconer's problems were alcohol related and that he had voluntarily submitted himself to counseling and had also voluntarily admitted to the above allegations. Mr. Falconer was suspended from his position as an LCR with the Board of Animal Health effective February 24, 1982.

As a result of conferences with his Union representative and with the Labor Relations representative, Mr. Falconer offered to resign provided that the Board would not prosecute him for the offense and at present there is a question as to whether or not Mr. Falconer will resign if the Board acts to recover the $1475.00 overpayment. The Secretary distributed copies of Minnesota Statutes, Section 3.975 which provides that "it shall be the duty of the Attorney General to institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as

may be appropriate to secure to the state the recovery of any funds or other assets misappropriated, and he shall cause such criminal proceedings to be instituted by the proper authorities as the evidence may warrant." Mr. Jon Murphy said that he views the section of the statutes as discretionary, but that he sees no factors that would justify forgiving the debt. After considerable discussion, Dr. Contag moved that Mr. Falconer's employment with the Board of Animal Health be terminated with repayment of the $1475.00. The motion was seconded by Mr. Neeser - motion carried.

The Secretary said that the Board owes Mr. Falconer $184.05 for vacation leave and $217.60 for expenses. Mr. Murphy advised that the payment for this amount be held up for the present and that he would contact the Secretary later regarding this matter.

BRUCELLOSIS INFECTED HERD - OLMSTED COUNTY

Dr. G. E. Keller said that Mr. Bob Schoenfelder had shipped a cull cow to the Zumbrota Livestock Auction Market. The animal was subsequently slaughtered at Green Bay, Wisconsin and showed a positive MCT test on March 16, 1982. The Federal VMO went to the farm on April 1st and the following tests were carried out:

April 6 and 7 - 463 tested - 230 reactors
April 12th - 245 tested - 1 reactor
April 13th - 161 tested - 2 reactors

Dr. Keller said that there were 35 bulls and 700 calves six months of age or over that were not yet tested.

The Secretary said that the herd should be depopulated but unfortunately there were not funds available from either the state or the federal government for this purpose. The owner has indicated that he would like to put the 700 calves into a feedlot without testing, and the Secretary said that the new quarantined feedlot rule will become effective on Monday, April 19, 1982.

Dr. Keller said that the federal government is advocating that adult vaccination be carried out in the herd. There are no provisions in the Board of Animal Health rules for the use of adult vaccination in Minnesota. He also outlined the procedures for the use of adult vaccination as provided in the Brucellosis Uniform Methods and Rules. Since the owner has not yet made up his mind as to which way he wants to go with this problem, no action was taken by the Board, although it was the consensus of opinion that adult vaccination should probably not be used in Minnesota.

DEFINITION OF EXPOSED CATTLE

The Secretary said that the Brucellosis Uniform Methods and Rules define exposed animals as those that are part of a known infected herd or that have been in contact with brucellosis reactors in marketing channels for periods of 24 hours. It further provides that no later than January 1, 1982 exposed animals will be those that are part of a known infected herd or have been in contact with brucellosis reactors in marketing channels. The time element of 24 hours was to be deleted on that date. As a result, three of the Board's rules now have the provision that after January 1, 1982 any period of contact in marketing channels shall be considered exposed: 3 MCAR § 2.001 Importation of Cattle and Bison, 3 MCAR § 2.011 Eradication of Bovine and Bison Brucellosis and 3 MCAR § 2.044 The Establishment and Operation of Public Stockyards. The Secretary said that the Board would either have to comply with the new provision or amend the three rules. Failure to comply with the provisions of the present rule could conceivably cause legal liability on the part of the Board should exposed animals cause an outbreak of brucellosis. The Board took no action and decided to leave the definition of exposed animals as it is in the present rules.

LICENSING OF CERTAIN ANIMALS FOR PUBLIC SERVICE

The Secretary said that through the combined efforts of Senator A. O. H. Setzepfandt and Representative D. W. Carlson, Section 35.695 of the Minnesota Statutes, referred to as the "Bull License Law" was repealed by the Legislature. Since there was no effective date on the bill, the repeal will become effective August 1, 1982.

AUTHORIZATION FOR PUBLIC HEARING: 3 MCAR § 2.062 APPLICATION AND REMOVAL OF OFFICIAL TAGS AND BRANDS

Copies of the proposed amendments were sent to all Board members prior to the meeting. The Secretary said that the definition of an official tag is the same as is defined in the federal brucellosis regulation and would include official tags from any and all states. Although it is not required, there is a provision for the use of an official vaccination tag at the option of the owner in addition to an official tag that may be in the animal's ear at the time of vaccination. The rule would prohibit the removal of all official identification tags, including those from other states and those inserted by DHIA and AI technicians. The provision that official identification tags shall be sold only to accredited veterinarians and applied only by or under the direct supervision of an

accredited veterinarian would not apply to official identification eartags used by DHIA and AI technicians. Mr. Neeser moved that the proposed amendments be accepted by the Board, that the Secretary be directed to proceed without a hearing in accordance with the provisions of Minnesota Statutes 1980, Section 15.0412, Sub-division 4(h), and that the following resolution be adopted by the Board:

> RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, be and he hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.062 Application and Removal of Official Identification Tags and Brands, to sign the notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of amending said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings.

The motion was seconded by Dr. Contag - motion carried. The Secretary was instructed to give notice of this proposal to the practicing veterinarians in the state via the Newsletter.

BRUCELLOSIS RETEST: IMPORTED CATTLE

This item was considered by the Board at the January 28, 1982 meeting. No action was taken at that time since the Brucellosis Uniform Methods and Rules were still in the process of being amended, and the Secretary was instructed to place this matter on the agenda for consideration at the April Board meeting. Since the Uniform Methods and Rules were still not finalized, no action was taken by the Board.

AUTHORIZATION TO AMEND RULE LSB-15 CONTROL OF PARATUBERCULOSIS

Dr. Keller was present for this discussion. The present rule provides that only full time veterinary employees of the Board or APHIS can conduct the intradermal test for paratuberculosis. Dr. D. W. Luchsinger, the Area Veterinarian in Charge of APHIS, has requested that the Board consider approving accredited veterinarians to do export Johne's testing. Due to budgetary constraints and the new export inspection facility in Minnesota, the testing of cattle for export could become very time consuming and expensive for VS and Board field veterinarians. Since the rule had not been revised since May, 1973 Dr. Keller suggested that perhaps the rule should be updated when and

if it is amended. He distributed copies of various proposals and options to be considered when the rule is amended. The Board members expressed their opinions regarding the various proposals and options and Mr. Neeser moved that the Secretary be authorized to prepare proposed amendments to rule LSB-15, such amendments to be sent to all Board members prior to the meeting at which they will be considered. The motion was seconded by Dr. Contag - motion carried.

BLUE TONGUE DISEASE

Dr. Olson said that since the advent of Canada's import requirement for a negative blue tongue test, more reactors are being disclosed in Minnesota. In order to quarantine animals that react to the test, rule 3 MCAR § 2.061 requires that a disease be determined by the Board to be dangerous, infectious communicable disease. On March 5, 1982 Dr. Olson and Dr. Flint had a conference call with Dr. Allen Luedke of ARS, Denver, Colorado. Dr. Luedke is considered to be an expert on blue tongue disease. He stated that in his opinion reactors should definitely be quarantined and that he considers blue tongue in cattle to be a dangerious, infectious and communicable disease. Dr. Contag moved that blue tongue disease be determined by the Board to be a dangerous, infectious communicable disease, and that reactors to the test be quarantined in accordance with the provisions of 3 MCAR § 2.061 Isolation and Quarantining of Livestock and Poultry for Infectious and Dangerous Communicable Diseases. The motion was seconded by Mr. Neeser - motion carried.

NEWCASTLE DISEASE

On March 19, 1982 a veterinary clinic specializing in pet birds reported that they suspected Newcastle disease in several birds that had come from two pet shops in Minneapolis and Minnetonka. Tissues were sent to VSL and a lentogenic strain of Newcastle disease virus was isolated. Dr. Olson explained that there were three types of Newcastle disease:
1. Velogenic - which is the strain that causes severe losses in birds and poultry.
2. Mesogenic and 3. Lentogenic - a mild strain which has been present in Minnesota.
The birds originated from a distributor in Florida and an investigation by the authorities in that state revealed no problems with disease on the distributor's premises. It is theorized that the birds probably did have the lentogenic strain of Newcastle disease

and that the stress of shipment to Minnesota may have caused the problems.

BIENNIAL BUDGET REDUCTION

Mr. Kirchoff distributed copies of a six page report depicting the biennial appropriations, the mandatory reductions for each fiscal year of the biennium, the deficit carryover from FY '81, disbursements and projected expenses. With the three vacancies, two layoffs and one termination, a biennial deficit of $33,840 is projected. The Secretary stressed that this figure is only an estimate at this time and is subject to considerable variation. It is obvious, however, that additional layoffs will be necessary in order to balance the budget by June 30, 1983.

OUT-OF-STATE TRAVEL

The Secretary said that one of the items that was covered by his office memorandum of December 15, 1981 to all Board veterinarians and LCRs outlining the steps that would have to be taken to reduce the biennial budget for FY '82 - '83, provided that all out-of-state travel was cancelled except for specific trips authorized by Board action. Three trips were to be considered by the Board:

1. AVMA meeting, July 17 - 22, Salt Lake City
2. National Poultry Improvement Plan Conference, August 3 - 5, Seattle
3. USAHA Annual Meeting, November 7 - 12, Nashville

The estimated cost for the National Poultry Conference which would be attended by Dr. Olson would be $970. The estimated cost for the USAHA meeting which would be attended by Dr. Flint would be $670.

Dr. Mersch stated that he would not be attending the AVMA meeting at State expense. He said that in his opinion the Secretary should attend the USAHA meeting since this was the main meeting for State Veterinariay Officials and Minnesota should be represented. Dr. Olson said that the National Poultry Plan Conference was held every two years and that there were four delegates from each State. After further consideration, the Secretary was authorized to attend the USAHA meeting in Nashville, Tennessee. The Secretary and Dr. Olson were instructed to inquire as to whether or not the poultry industry would be willing to bear the expense of Dr. Olson's attendance at the National Plan Conference. If not, the Secretary was instructed to set up a telephone conference call with the Board members at a future date to consider the matter further.

PSEUDORABIES PROGRESS REPORT

Dr. Mackey distributed copies of the following to each Board member:

1. Minutes of the Pseudorabies Advisory Committee meeting of January 20, 1982.
2. A copy of a six page questionnaire that was sent to all Minnesota livestock producers that have been quarantined for pseudorabies listing the preliminary results of the survey as of April 9, 1982.
3. A one page survey that was sent to all swine producers in the Pork News, March 1982 issue, giving the preliminary results of the survey as of April 9, 1982.
4. A one page copy of a survey that was sent to all veterinarians in Minnesota via the Board of Animal Health's Newsletter, giving the preliminary results of the survey as of April 9, 1982.

Dr. Mackey said that there were 38 PRV quarantines established during the first three months of calendar year of 1982 as compared with 49 for the same period in 1981.

The second meeting of the PRV Advisory Committee will be held at the Downtown Holiday Inn in Mankato on May 20, 1982 starting at 10 a.m.

SEARCH COMMITTEE TO SELECT A CHAIRMAN FOR THE DEPARTMENT OF DIAGNOSTIC INVESTIGATION

The Secretary said that he had been requested by Dean Dunlop to serve on this Committee and the Secretary distributed copies of the Dean's letter to all Board members. The letter states that the College of Veterinary Medicine at the University of Minnesota has established a new department in the field of diagnostic investigation. This department will have full responsibility for the expanding Minnesota Veterinary Diagnostic Laboratory which is the official laboratory for the Board of Animal Health. The Chairman of the new Department of Diagnostic Investigation will also be the Director of the Minnesota Veterinary Diagnostic Laboratory.

ELECTION OF OFFICERS

The Secretary left the meeting at this point and instructed the Assistant Secretary to take the notes for the remainder of the meeting.

Dr. Contag moved that Dr. Mersch be elected President and that the Secretary be instructed to cast a unanimous ballot for Dr. Mersch for President. The motion was seconded by Mr. Neeser - motion carried.

Mr. Neeser moved that Dr. Contag be elected Vice-president. The motion was seconded by Dr. Mersch - motion carried.

Mr. Neeser moved that Dr. Flint be reappointed as Secretary and Executive Officer. The motion was seconded by Dr. Mersch - motion carried.

There was considerable discussion concerning a salary increase for the Secretary and Executive Officer. It was the unanimous decision of the Board that Dr. Flint's performance in accordance with the Managerial Salary Schedule effective June 30, 1982 be rated as outstanding with a 14 per cent salary increase granted in accordance with the performance based salary increase schedule in that same plan.

NEXT BOARD MEETING

The next meeting of the Board has been tentatively scheduled for Friday, July 9, 1982. Since this is one week ahead of the regularly scheduled date, the advanced meeting date will require publication in the State Register.

There being no further business to come before the Board, Dr. Contag moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 4 p.m.

Respectfully submitted,

J. Y. Flint

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING (HELD ONE WEEK IN ADVANCE) OF FRIDAY, JULY 9, 1982

The meeting was called to order by President Mersch at 9:40 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. R. J. Barton, Mr. K. A. Neeser and Mr. Jerry Rypka. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

Notice of the advanced meeting date was published in the State Register, Volume 6, Number 47 on May 24, 1982.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 16, 1982

Copies of the Minutes had been mailed to all Board members by the Secretary. At that meeting the Board reappointed Dr. Flint as Secretary and Executive Officer for the one year period starting July 1, 1982 and granted him a 14 per cent salary increase. Based on the fact that Veterinarians Senior (office veterinarians) would be receiving a salary increase of 10.4 per cent for that period and Veterinarians (field employees) would be receiving a 9 per cent increase, the Secretary had requested and received permission by phone from President Mersch to have his salary increase reduced to 11 per cent. There being no other additions or corrections to the Minutes, President Mersch declared the Minutes approved as mailed to the Board members by the Secretary with the above change to be noted in the Minutes of the Board meeting of July 9, 1982.

MR. DAVID B. FALCONER: RESIGNATION

This item was carried over from the Board meeting of April 16, 1982. On April 21, 1982 the Secretary met with Mr. Mike Morrell, Business Agent, Minnesota State Employees Union, AFSCME, Council 6 and with Ms. Shari Render, Labor Relations Representative. Mr. Jon Murphy, the Board's Special Assistant Attorney General, was also present at this meeting. In settlement of the grievance filed by Minnesota State Employees Union on behalf of David Falconer, the parties agreed to the following:

That the employer will accept Mr. Falconer's resignation and remove from Mr. Falconer's personnel file all documents relating to the discharge;

That the employer will pay $184.05 as accrued vacation leave and the employer will retain the $217.60 as requested for expense reimbursement.

That this case is considered closed; and that this settlement cannot be used as precedent by either party in any future grievances that may arise.

The Secretary said that as a result of this agreement and settlement, the $1475.00 salary overpayment was not recovered.

SCHOENFELDER BRUCELLOSIS INFECTED HERD

Mr. Robert Schoenfelder and son Carl appeared before the Board. Also present were Dr. G. E. Keller and Dr. D. W. Luchsinger. This item had been considered by the Board at the meeting of April 16, 1982. The purpose of Mr. Schoenfelder's appearance was to request permission to conduct adult vaccination in his herd.

The Schoenfelder herd consists of two herds, one at Rochester and one at Chatfield. The cattle are located on 21 different farms. The Chatfield herd consists of approximately 700 head which are nearly all brucellosis vaccinated. This herd has not yet been tested for brucellosis. Dr. Luchsinger said that he had received permission to spend $128,000 indemnity for depopulating the Rochester herd, not including steers and last year's heifers which were to be fed out in a quarantined feedlot, providing the Chatfield herd was first tested for brucellosis. If reactors are disclosed in the Chatfield herd, the entire matter will have to be re-evaluated by the Federal officials before expenditure of the depopulation funds.

The Secretary outlined the procedures that would be required in the case of adult vaccination. This would require a minimum of five complete herd tests for brucellosis which in his opinion did not seem feasible with this particular herd. He also pointed out that there were no provisions in the present rules for the use of adult vaccination in Minnesota, and he expressed considerable doubts that a Hearing Examiner would be convinced at a Public Hearing that this would be a good procedure to adopt in Minnesota, considering Minnesota's present status in the brucellosis eradication program. The Schoenfelders left the meeting at 11:25 a.m., the matter having been under consideration for an hour and twenty-five minutes. After further discussion Mr. Rypka moved that the Board deny the request of adult vaccination for the reason that the time involved in having the rule amended through a Public Hearing would be too long to be of much use in this herd. The motion was seconded by Dr. Contag - motion carried.

AUTHORIZATION FOR PUBLIC HEARING: 3 MCAR § 2.015 CONTROL OF BOVINE PARATUBERCULOSIS IN MINNESOTA

The Board had authorized amendment of this rule on April 16, 1982. Copies of the proposed amendment were mailed to all Board members by the Secretary prior to the Board meeting. After consideration of the proposed amendment, Dr. Contag moved that the proposed amendments be accepted by the Board, that the Secretary be directed to proceed without a hearing in accordance with the provisions of the Minnesota Statutes 1980, Section 15.0412, Subdivision 4 (h), and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to amend without a public hearing rules governing 3 MCAR § 2.015 Control of Bovine Paratuberculosis in Minnesota, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Barton - motion carried.

SECOND MEETING OF THE PRV ADVISORY COMMITTEE

Dr. Mackey reported on the meeting that was held in Mankato on May 20, 1982. The Committee made the following recommendations:

1. That the committee Secretary be asked to draft a set of pseudorabies control regulations which are to be submitted to the committee for their review at the next meeting.

2. That pseudorabies rules from surrounding states be secured and sent to the committee for their review.

3. The exhibition rules concerning pseudorabies be reviewed and possibly strengthened.

4. That the Pseudorabies Quarantine forms be improved to include a listing of the obligations of the producer involved and his signature.

Dr. Mackey said that there were 72 swine herds quarantined for pseudorabies during the first six months of 1982 as compared with 91 herds for the same period in 1981, and that nine of the infected herds in the first six months of 1982 were seed stock herds.

AUTHORIZATION FOR PUBLIC HEARINGS: 3 MCAR § 2.032 CONTROL OF MYCOPLASMA IN POULTRY AND LSB-33 CONTROL OF SALMONELLA TYPHI-MURIUM DISEASE IN TURKEYS

Copies of the proposed amendments were sent to all Board members prior to the meeting. Dr. H. R. Olson said that the proposed changes are the same in both rules. It is pro-

posed to require the banding of only those birds sampled in turkey breeding flocks rather than banding all birds in the flock as is presently required. This will represent a considerable saving to the turkey industry of an estimated $20-25,000, and that it was his opinion that turkey breeding flocks would be amply identified for our purposes. Total testing of 100 per cent of the birds has been changed to sample testing consisting of 500 blood samples and 500 swabs from the same birds.

Mr. Neeser moved that the proposed amendments to 3 MCAR § 2.032 Control of Mycoplasma in Poultry be accepted by the Board, that the Secretary be directed to proceed without a hearing in accordance with the provisions of Minnesota Statutes 1980, Section 15.0412, Subdivision 4 (h), and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to amend without a public hearing rules governing 3 MCAR § 2.032 Control of Mycoplasma in Poultry, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting at the Board's representative at all hearings."

The motion was seconded by Mr. Barton - motion carried.

Mr. Barton moved that the proposed amendments to LSB-33 Control of Salmonella Typhi-Murium Disease in Turkeys be accepted by the Board, that the Secretary be directed to proceed without a hearing in accordance with the provisions of Minnesota Statutes 1980, Section 15.0412, Subdivision 4 (h), and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to amend without a public hearing rules governing LSB-33 Control of Salmonella Typhi-Murium Disease in Turkeys, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Rypka - motion carried.

ADOPTION OF 3 MCAR § 2.005 IMPORTATION OF SWINE INTO MINNESOTA

Notices of the Board's intent to adopt amendments without a public hearing were mailed

on May 3, 1982 and published in the State Register May 17, 1982. Dr. Mackey said that only one letter was received regarding the amendment inquiring as to date of submission to Attorney General. Mr. Neeser moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.005 Importation of Swine Into Minnesota be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes, Section 35.03 (1980) and that Dr. J. G. Flint, the Executive Secretary of the Board of Animal Health, be and hereby is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Barton - motion carried.

NPIP CONFERENCE, SEATTLE, WASHINGTON, AUGUST 3 - 5, 1982

The Secretary read a letter from the Executive Secretary of the MTGA stating that the Breeder Hen Committee at the June 10th Annual Meeting had approved travel expense for Dr. H. R. Olson to attend this meeting.

BRUCELLOSIS RETESTS: IMPORTED CATTLE

This item was considered briefly by the Board at the meetings of January 28, 1982 and April 16, 1982. The revisions to the Uniform Methods and Rules for Brucellosis Eradication became effective May 1, 1982. Dr. Pyle was present for this discussion.

The Secretary distributed copies of a one page federal report showing the brucellosis quarantined herds by state as of April 30, 1982. The Secretary had divided the list into the various brucellosis state catagories showing 10 Free States, 26 Class A States, 11 Class B States and 3 Class C States. Statistics obtained from the importation division show that during FY 1982, 21,217 dairy and breeding cattle were imported from Class A states.

3 MCAR § 2.001 Importation of Cattle provides that all dairy and breeding cattle imported into Minnesota from other than Brucellosis Free States shall be quarantined for a brucellosis retest in from 45 to 120 days. The question before the Board was whether or not all cattle from A states should continue to be required to be brucellosis retested. Iowa and Wisconsin have indicated that they will not be requiring a retest from Class A states.

The Brucellosis Uniform Methods and Rules do not require a brucellosis retest for cattle from Class A states but strongly recommend that such a retest be conducted.

Since many of the states that have an A classification have a considerable amount of brucellosis infection, as shown by the infected herd rate per 1,000, the Board decided to take no action to amend the rule at this time. Dairy and breeding cattle from states with A, B, or C classifications will be required to obtain a permit and be quarantined for a brucellosis retest for importation into Minnesota.

REDUCED DOSAGE BRUCELLOSIS VACCINE

The Secretary said that the Brucellosis Uniform Methods and Rules now have a provision for the use of a reduced dose of Strain 19 vaccine. States have the option of using the standard dosage or the reduced dosage but not a combination of the two. Using the reduced dosage, calves of any breed may be vaccinated between four and twelve months of age and still be considered official vaccinates. In order to arrive at a dilution schedule, it is necessary to determine the number of viable brucella organisms in each lot of vaccine. This requires an extensive laboratory procedure.

Iowa and Nebraska have adopted a standard dilution schedule which does not involve a laboratory count of the organisms in the vaccine. A letter from Dr. Winthrop Ray, Chief Staff Veterinarian, APHIS states that the dilution of the standard vaccine as described in the Nebraska regulations is contrary to approved procedures and is illegal under Veterinary Biologics regulations.

The Secretary said that the reason he placed this matter before the Board for consideration was due to the fact that veterinarians were asking when they would be able to use the reduced dosage vaccine in Minnesota. A commercial reduced dosage vaccine should be available sometime in the near future, but a definite date for the introduction of such a product has not been established. After further discussion, Mr. Rypka moved that the Board take no action regarding the use of the reduced dosage vaccine in Minnesota at this time. The motion was seconded by Dr. Contag - motion carried.

STATE FAIR INSPECTION

The Secretary reminded the Board that Board employees will not be inspecting the livestock at the State Fair this year. Dr. W. J. Mackey will be the official veterinarian and assisting him will be Dr. L. T. Christensen, Dr. Donald Hicks and Mr. Robert Lushanko. The state employees will be on vacation leave and will not be working at the Fair as Board employees but rather as private contractors who will be reimbursed for their services by the State Fair. The Secretary said that he had placed the matter on

the agenda so that the Board could consider whether or not there might be a conflict of interest. After further discussion, it was the consensus of opinion that there was not a conflict of interest.

BIENNIAL BUDGET: FY '84 - '85

Mr. Gene Kirchoff of the Accounting Division was present for this discussion. The Secretary said that the Finance Department had laid the ground rules for the submission of the Biennial Budget. It was to be based on the reduced appropriation for FY '83. This includes the 12.4 per cent overall reduction, the 3 per cent reduction in Supplies and Expense and an estimated $86,000 shortfall due to cost of living and salary increases which have been only partially supplemented. The above represent approximately a 17 per cent decrease in the FY '83 appropriation. A 7 per cent inflationary increase will be allowed for each of the two fiscal years of the biennium. The Secretary explained that he was bringing up this matter for consideration at this time as the proposed Biennial Budget is now in the process of being prepared and must be submitted to the Department of Finance in its final form prior to the next Board meeting.

PROGRESS REPORTS: MR. BOB EWERT AND MR. PETER VAN SANTEN

Mr. Bob Ewert: Dr. Mackey said that the Minnesota Department of Agriculture had been asked to consider whether or not Mr. Ewert's livestock dealer's license should be suspended or revoked on the basis of his past performance relating to the continued sale of pseudorabies quarantined swine. The Department of Agriculture decided to take no action against Mr. Ewert at this time.

Mr. Peter Van Santen: Dr. Mackey said that the State Department of Agriculture had also been requested to consider revoking or suspending Mr. Peter Van Santen's livestock dealer's license based on the continued violations of his brucellosis quarantine. It was suggested that the Board tighten up the quarantine on Mr. Van Santen's premises and require that he account for all cattle going into or leaving the quarantined herd. This would require a complete inventory at the time of the next test. Dr. Keller said that a letter had been sent to Mr. Peter Van Santen notifying him that a test has been scheduled for Monday and Tuesday, July 12th and 13th at which time all cattle that were not test eligible would be identified by eartag or have the eartags read.

NEXT BOARD MEETING

The next meeting of the Board was tentatively scheduled for the regular date of Friday, October 15, 1982.

There being no further business to come before the Board, Mr. Neeser moved that the meeting be adjourned. The motion was seconded by Mr. Rypka - motion carried. The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, OCTOBER 15, 1982

The meeting was called to order by President Mersch at 9:40 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. R. J. Barton, Mr. K. A. Neeser and Mr. Jerry Rypka. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JULY 9, 1982

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

ANNUAL REPORT

Copies of the annual report for FY '82 were distributed to all Board members.

MINNESOTA LIVESTOCK MARKETING ASSOCIATION

Mr. Gary Schnell, Secretary-Treasurer of the Association and Mr. Gordon Vick, President, Lewiston, MN appeared before the Board. The Association is requesting that the BAH allow the use of the reduced dosage Brucella abortus Strain 19 vaccine in Minnesota in accordance with the provisions of the UMR. The Assocation is also requesting that the BAH recommend a change in the Minnesota Statutes to the upcoming session of the legislature to permit the acceptance of untested, test eligible cattle from Brucellosis Free States.

After considerable discussion, the Secretary recommended that no action be taken by the Board regarding the reduced dosage vaccine until after the annual meeting of USAHA which will be held November 8 - 12, 1982. He said that the matter would certainly be considered and that he would place the item on the agenda for reconsideration by the Board at the January, 1983 meeting. The Board deferred taking any action until that meeting.

There was considerable discussion regarding the request that Minnesota accept cattle from Brucellosis Free States without a brucellosis test requirement. The Secretary said that the new brucellosis state classification went into effect May 1, 1982. At that time, Minnesota, along with several other states, dropped from Brucellosis Free to Class A status. Brucellosis Free requires that a state have no brucellosis infection for a period of at least twelve months. Only 11 states plus the Virgin Islands are now Brucellosis Free, and the Secretary said that the only Free

state that imported any number of cattle into Minnesota was North Dakota. Dr. Pyle pointed out that even if cattle from a Brucellosis Free state were allowed importation into Minnesota without a brucellosis test, Minnesota Law still requires that the animals be tested and negative for anaplasmosis. The same blood sample can be used for both the brucellosis and anaplasmosis blood tests. No action was taken by the Board regarding the second request.

MUSKEGO RENDERING PLANT

Mr. Jon Arcand, Attorney, Mr. Fred Barr and Mr. Steve Denk appeared before the Board to show cause why Muskego's Rendering Plant Permit to operate in Minnesota should not be suspended or revoked. A formal hearing to consider this matter was held by the Hearing Examiner on Monday, May 10, 1982. The Hearing Examiner's recommendation was that disciplinary action be taken against the permit of Muskego Rendering Company. Mr. Arcand explained that Barr selects only certain carcasses for deboning, grinding, decharacterization, freezing and sale to pet food companies, and that it would work a severe financial hardship on the Barr operation if the source of supply of carcasses in Minnesota were cut off. Mr. Barr said that certain changes were being proposed in Wisconsin's Administrative Rules and that public hearings would be held in Eau Claire, WI on November 7 and in Oshkosh, WI on November 8 or 9th. Mr. Barr expressed the hope that as a result of these hearings, administrative changes would be made that would enable a reciprocal agreement between Minnesota and Wisconsin authorizing pet food processing establishments to transport carcasses from Minnesota to such establishment in Wisconsin. The hope was also expressed by Mr. Barr that the Wisconsin legislature would pass enabling legislation. Dr. Mersch expressed the opinion that if the Board took no action at all, it could be considered in violation of Minnesota Statutes. Mr. Murphy stated that in his opinion, there were sufficient grounds for the Board to postpone suspending or revoking the permit pending action by the State of Wisconsin or the Wisconsin legislature. After further discussion, Mr. Rypka moved that the matter be tabled until the January, 1983 meeting if the parties involved agree to employ a veterinarian at their expense to conduct inspection of carcasses in accordance with Minnesota rules. The motion was seconded by Dr. Contag. Motion carried. The Secretary was instructed to notify the parties involved by letter of the action taken by the Board

and to enclose a copy of the applicable Minnesota rule.

ADOPTION OF 3 MCAR § 2.015 CONTROL OF BOVINE PARATUBERCULOSIS IN MINNESOTA

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.015. No written comments were received. The Secretary said that no changes were made from the proposed amendments authorized by the Board at the April 16, 1982 Board meeting. Mr. Neeser moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.015 Control of Bovine Paratuberculosis in Minnesota be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. J. G. Flint, the Secretary and Executive Officer of the Board of Animal Health, be and hereby is authorized to sign an Order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Dr. Contag. Motion carried.

ADOPTION OF 3 MCAR § 2.032 CONTROL OF MYCOPLASMA IN POULTRY

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.032. No written comments were received but Dr. Olson said that the turkey industry is on record as being in favor of the amendments. The Secretary said that no changes were made from the proposed amendments authorized by the Board at the July 9, 1982 Board meeting. Mr. Barton moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.032 Control of Mycoplasma in Poultry be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. J. G. Flint, the Secretary and Executive Officer of the Board of Animal Health, be and hereby is authorized to sign an Order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Rypka. Motion carried.

ADOPTION OF LSB 33 CONTROL OF SALMONELLA TYPHI-MURIUM DISEASE IN TURKEYS

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to LSB 33. No written comments were received but Dr. Olson said that the turkey industry was on record as being in favor of the amendments. The Secretary said that no changes were made from the proposed amendments authorized by the Board at the July 9, 1982 Board meeting. Mr. Barton moved that the

following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to LSB 33 Control of Salmonella Typhi-Murium Disease in Turkeys be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. J. G. Flint, the Secretary and Executive Officer of the Board of Animal Health, be and hereby is authorized to sign an Order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Rypka. Motion carried.

ADOPTION OF 3 MCAR § 2.062 OFFICIAL IDENTIFICATION TAGS AND BRANDS

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.062. No written comments were received. The Secretary said that no changes were made from the proposed amendments authorized by the Board at the April 16, 1982 Board meeting. Mr. Rypka moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.062 Official Identification Tags and Brands be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. J. G. Flint, the Secretary and Executive Officer of the Board of Animal Health, be and hereby is authorized to sign an Order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Dr. Contag. Motion carried.

SCHOENFELDER HERD - ROCHESTER AND CHATFIELD

The Secretary said that the Schoenfelder herd had been entirely depopulated with the exception of animals that were "S" branded and put into a quarantined feedlot on the Rochester farm. There were 1,881 head of cattle depopulated including 72 purebred bulls. The federal indemnity was $215,856.00.

VAN SANTEN HERD

Dr. Keller and Mr. Jon Murphy gave a brief summary of the situation as it presently exists in the Van Santen herd. There are 743 head of cattle under brucellosis quarantine on Mr. Peter Van Santen's premises. The BAH is cooperating with the Minnesota State Department of Agriculture in building a case that will enable the Department of Agriculture to consider suspending or revoking Mr. Van Santen's Dealer's License. On September 27, Mr. Van Santen called Dr. Keller and requested that his herd be depopulated. The federal veterinarian in Minnesota applied for $340,000.00 federal indemnity funds on that same day but it was turned down for the reason that sufficient federal indemnity

funds were not available.

BIENNIAL BUDGET

Mr. Kirchoff distributed copies of a summary of the proposed biennial budget including three change level requests that were submitted to the Governor's office. The Department of Finance requires that the biennial budget be based on the reduced budget for fiscal year 1983 with inflationary increases of 7% and 14½% for the two fiscal years. Any exceptions must be submitted to the Governor's office for approval prior to the submission of the budget. Change level requests that were submitted and the Governor's decision are as follows:

	BOARD OF ANIMAL HEALTH REQUEST		GOVERNOR'S DECISION	
	FY 84	FY 85	FY 84	FY 85
Willmar Poultry Lab.	$ 30,300	$ 40,200	$ 23,300	$ 33,200
Indemnities	165,400	165,400	125,000	125,000
2 Law Compliance Reps.	48,200	48,100	-0-	-0-
TOTAL	$243,900	$253,700	$148,300	$158,200

The proposed biennial budget as submitted is as follows:

	FY 1984	FY 1985
Salaries and Fringe	$ 931,200	$ 931,200
Rent, Printing, Contract Testing, Communications, Travel, Miscellaneous	329,000	355,900
Supplies and Equipment	19,200	20,700
Indemnities	159,600	159,600
Total Biennial Budget Request	$1,439,000	$1,467,400
TOTAL	$2,906,400	

DISEASE REPORTING SYSTEM

Dr. D. W. Luchsinger, Federal Veterinarian in Charge, was present for this discussion. The Secretary distributed copies of a letter from the MVMA president recommending that the Board consider action to invite the USDA to conduct its pilot study, representing the northern states, in Minnesota. APHIS proposes the following schedule:

FY '83 - Initiate an animal disease surveillance program on a test basis in one or more states.

FY '84 - Initiate a program in one state in each of the remaining five regions.

FY '85 - Expand to include one-half of the states.

FY '86 - Expand to include three-fourths of the states.

FY '87 - Have all contiguous states included in the program.

The Secretary explained that the proposed federal program is based on the Minnesota Food Animal Disease Reporting System that originated in Minnesota under Dr. Diesch's direction. The Board cooperated in this program for several years, and for a period of six months while the program was being Validated, three of the Board's district veterinarians collected the information. The pilot project would be based on that same system whereby the state and federal district veterinarians would contact and collect information from six farm premises four times a year on twenty different diseases. The Secretary estimated that it would take each district veterinarian from 9 to 12 working days per year to accomplish this task along with the necessary mileage. After further discussion, the Secretary was instructed not to invite the pilot program into Minnesota, but if APHIS wants to start a pilot program in Minnesota, to accept and cooperate with the program.

BRUCELLOSIS INFORMATION SYSTEM - (BIS)

Dr. D. W. Luchsinger, Federal Veterinarian in Charge, was present for this discussion and the Secretary asked him to outline this program to the Board. Dr. Luchsinger said that six or seven states are presently in the new program whereby brucellosis records are put into a computer located in Fort Collins, CO. At the present time, the records are limited to herd testing and market testing results. Brucellosis ring test results and brucellosis vaccinations will be put into the program at a later date. Arrangements have been made to have Minnesota start in the program some time after January 1, 1983. Two computer input consoles will be placed in the state office and two in the federal office. All expenses of the new system, including necessary forms, will be at federal expense. The state will be expected to have the personnel necessary to operate the two computer input consoles in the state office.

PROPOSAL TO AMEND INDEMNITY LAW

Dr. Keller and Dr. Luchsinger were present for this item on the agenda. Dr. Luchsinger said that federal indemnity funds had been cut off effective October 1, 1982. The APHIS brucellosis budget was to be reduced from $90 million to $59 million, but the House has recommended $77 million and the Senate $90 million. There may be federal indemnity funds after Congress approves the budget later in fiscal year 1983, although the rate of indemnity may be lowered. Dr. Keller said that the present Minnesota rate for indemnity for brucellosis reactors is $37.50 for grade animals and $75.00 for purebreds, and the rate for negative animals that are depopulated is $300.00 for grades and $600.00 for purebreds. Prior to October 1, 1982, the federal indemnity for brucellosis reactors was $440.00 for grade dairy cattle and $62.00 for grade beef cattle. Dr. Keller expressed the opinion that the state should raise its present indemnity rates. He proposed that the rate for reactors be raised to $300 and $600 making it the same as for negative animals in depopulated herds. The Secretary expressed objections to paying the same rate for brucellosis reactors as for negative animals. After considerable further discussion, no action was taken by the Board and the Secretary was instructed to place this matter on the agenda for further consideration at the January, 1983 meeting.

TB TESTS FOR IMPORTED CATTLE

Dr. Pyle said that the TB test requirement is causing problems in that most of the cattle are coming in to be tested on arrival and it is taking an inordinate amount of our Law Compliance Representatives' time to get this job done. It is taking a lot of time and effort on their part just to get the brucellosis retest requirements on imported cattle carried out. Dr. Pyle's recommendation is that the TB test requirement for imported cattle be deleted or at least that a TB test not be required on cattle from Tuberculosis Free States. Twenty states are Tuberculosis Free including Michigan, North Dakota, Wisconsin and Wyoming. The Secretary said that the 1981 Proceedings of USAHA indicate that there were thirteen tuberculosis infected herds disclosed in the United States in fiscal year 1981. All 13 herds were entirely depopulated. These herds were disclosed as follows:

1 - Area testing.
3 - Tracing exposed cattle from infected herds.
1 - Milk ordinance testing.
1 - Retest of quarantined herd.
7 - Traceback of regular kill slaughter animals.

Dr. Contag moved that the Board table this matter until the next meeting. The motion was seconded by Mr. Neeser. Motion carried.

NATIONAL BARROW SHOW: PRV REACTOR

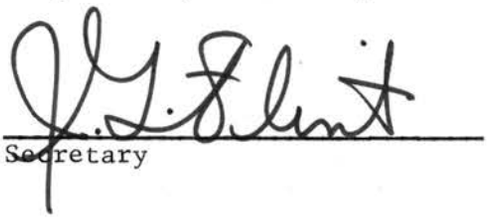
Dr. Mackey said that a Chester White boar consigned by an Iowa owner to the National Barrow Show was disclosed as a PRV reactor upon its arrival in Texas. The animal was tested and negative for PRV in Iowa on August 24 and was consigned to the National Barrow Show which was held in Austin, MN September 13 - 15. The boar was sold by private treaty and taken to Texas where it was tested for pseudorabies on September 17 and disclosed as a reactor with a titer of 1:8. All states from which animals were consigned to the National Barrow Show or to which animals were consigned from the National Barrow Show Sale were notified of the situation. This involved 32 states and Canada. All Minnesota swine owners who had consigned animals to the show or who had purchased animals at the show were notified by letter and the recommendation made that the animals be tested for pseudorabies.

NEXT BOARD MEETING

The next Board meeting was tentatively scheduled for the regular date of Friday, January 14, 1983.

There being no further business to come before the Board, Mr. Rypka moved that the meeting be adjourned. The motion was seconded by Mr. Neeser. Motion carried. The meeting was adjourned at 4:45 p.m.

Respectfully submitted,



Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JANUARY 14, 1983

The meeting was called to order by President Mersch at 9:55 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. K. A. Neeser and Mr. Jerry Rypka. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, OCTOBER 15, 1982

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

REDUCED DOSAGE BRUCELLA ABORTUS VACCINE

This matter had been considered by the Board at the October 15, 1982 meeting. The Board deferred taking any action until after the annual USAHA meeting which was held November 8 - 12, 1982. The Secretary referred to the 1982 Report of the USAHA Brucellosis Committee. A representative of the Colorado Serum Company told the committee that he believes that a vaccine can be produced in the limits set by the committee. However, laws must be changed to allow them to produce a vaccine with less than 10 billion organisms. Dr. Atwell was present and assured the committee that APHIS - VS will move as fast as possible to get the regulations changed. Dr. Peitz said that Burroughs-Wellcome Company has produced five trial lots of the reduced dose vaccine and it looks as if they can produce it within those limits. He also said that sampling and testing procedures shouldn't be a problem. It was estimated that a reduced dosage product should be on the market within six months from the date of the USAHA meeting.

MINNESOTA LIVESTOCK MARKETING ASSOCIATION REQUEST

The Secretary received a letter dated January 6, 1983 from Mr. Gary Schnell, Secretary-Treasurer of the Association, requesting the Board's consideration of a proposal to divide brucellosis Class "A" states into two groups by herd infection rate, and allow cattle from the low incidence half to be imported without a brucellosis retest. The Association feels that the retest requirement on these cattle, especially from Minnesota's neighboring states, is an effective trade barrier. This same matter had been given consideration by the Board at the meetings of January 28, April 16 and July 9, 1982. The

Secretary said that at present there are seven Minnesota herds under quarantine for brucellosis infection. After further discussion, the Board decided not to make any change at this time and the Secretary was directed to write to Mr. Schnell pointing out the infection rate that exists in Minnesota.

APPROVAL OF THE S-N TEST AND ELISA TEST AS OFFICIAL TESTS

Dr. H. J. Kurtz, Acting Director of the Diagnostic Laboratory, was present for this discussion. The Secretary said that Rule 2.024 Control of pseudorabies defines an official test as a test that has been approved by the Board and conducted in a USDA approved laboratory. Up to now the test that has been conducted is the S-N (serum neutralization) test. The Secretary said that the Diagnostic Lab. would like to switch over to the newer ELISA test (Enzyme Linked Immunosorbent Assay). Dr. Kurtz said that the Diagnostic Laboratory is in the process of instrumentation for conducting the test. A colorimeter reading is made by the machine and the titers are read and printed out by a computer. The S-N test takes 48 hours while the ELISA test takes only four hours. Dr. Contag moved that the Board approve the S-N and ELISA tests as official tests for the diagnosis of pseudorabies. The motion was seconded by Mr. Rypka - motion carried.

MUSKEGO RENDERING PLANT

Mr. Jon Arcand, Attorney, Mr. Fred Barr and Mr. Steve Denk appeared before the Board. Dr. H. R. Olson was also present. Since this matter was tabled at the October 15, 1982 meeting, Mr. Rypka moved that it be taken from the table for further consideration. The motion was seconded by Mr. Neeser - motion carried. Mr. Arcand distributed copies of a "Proposed Order of the State of Wisconsin Department of Agriculture," adopting, amending and repealing rules concerning the transportation, processing, identification and disposal of dead animals. The proposed order does not provide for veterinary inspection of carcasses but seems substantially equivalent in other respects to Minnesota's requirements. Mr. Barr said that the carcasses in his plant are inspected by their official veterinarian on a weekly basis. He further pointed out that there are only 15 pet food companies that purchase the product, that they are extremely strict as to what they will or will not accept, and that all of the meat is eventually cooked and canned under state or federal inspection. In response to a question, Mr. Barr said that there are approximately 75 companies in Wisconsin that handle down and dead animals, including

five rendering plants. He said that approximately 50 to 60 per cent of the carcasses that are picked up in Minnesota are used for pet food, and that about one-third of the finished product from his plant originates from Minnesota carcasses. The delegation left at this point and the President said that the Secretary would notify them by letter of the results of the Board's deliberations.

After further discussion, it was the consensus of opinion that Wisconsin's Proposed Standards are substantially equivalent to Minnesota's with the exception of the requirement for an official veterinarian. Dr. Contag moved that the Board issue an order not to renew Muskego rendering plant's reciprocal permit upon its expiration June 30, 1983, specifying that the permit would not be revoked prior to June 30th provided that the parties involved agree to continue employment of a veterinarian at their expense to conduct inspection of carcasses in accordance with Minnesota rules, and further that the Secretary be directed to proceed with negotiations with Wisconsin for a reciprocal agreement for pet food establishments. The motion was seconded by Mr. Neeser - motion carried. Mr. Jon Murphy, Special Assistant Attorney General, agreed to prepare such an order.

PSEUDORABIES ADVISORY COMMITTEE MEETING

Dr. Mackey said that the second meeting of the Committee was held at the Holiday Inn in Mankato on December 2, 1982. At the May 20, 1982 meeting the Secretary, Dr. Mackey, was directed to prepare a proposed rule for consideration by the Committee. This was prepared, mailed to all members of the Committee and discussed in detail at the December 2nd meeting. Some items were approved by the Committee as written, suggestions for revision were made on others, and a couple items were tabled for further consideration at the next meeting. Dr. Mackey said that the next meeting of the Committee would hopefully be held sometime prior to the advent of field work.

PROPOSED MVMA RESOLUTION RE: PRV

Dr. Mackey said that a resolution will be introduced at the MVMA meeting in February - "Therefore, be it resolved that the Minnesota Veterinary Medical Association actively support the concept of immunization for control of pseudorabies in swine." After considerable discussion, the Board expressed the concern that vaccination does not become the only control procedure for pseudorabies.

TUBERCULOSIS TEST REQUIREMENT FOR IMPORTED CATTLE

Since this item was tabled at the October 15, 1982 meeting, Mr. Rypka moved that the matter be taken from the table for consideration by the Board. The motion was seconded by Mr. Neeser - motion carried. The Secretary summarized the various items that were considered by the Board on October 15th relating to this subject. There was discussion as to whether the test requirement should be deleted entirely or whether it should be amended to allow cattle to be imported from Tuberculosis Free states without a test. The decision was finally reached that considering the low incidence of tuberculosis infection in the United States, only 13 cases having been disclosed last year and all of these herds were depopulated, and further due to the fact that the Board presently has only one Law Compliance Representative left to enforce the requirement, that the tuberculosis test requirement be deleted. It was generally agreed that the expense to the cattle industry of conducting tuberculosis tests was not cost productive. Mr. Rypka moved that the tuberculosis test requirement for imported cattle be deleted and that the Secretary be directed to proceed without a hearing in accordance with the provisions of Minnesota Statutes 1982, Section 15.0412, Sub-division 4 (h), and that the following resolution be adopted by the Board:

> RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, be and he hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.001 Importation of cattle and bison, to sign the notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of amending said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings.

The motion was seconded by Mr. Neeser - motion carried. The Secretary said that in addition to complying with the requirements for publishing such intent to adopt without a public hearing in the State Register and sending copies of the Notice to individuals who have listed their name with the Board to receive such Notices, that Notices would be sent to the Livestock Breeders' Association, all cattle breed associations, and to other persons and organizations that might have an interest in the proposal.

ADDITIONAL BUDGET REDUCTIONS

Mr. Kirchoff of the Board's Accounting Division was present for this discussion.

The Secretary said that the last special session of the Legislature reduced the Board's budget for fiscal year '83 an additional $100,000. This brings the total reduction of the Board's budget for fiscal year '83 to approximately 24½ per cent. Four of the Board's Law Compliance Representatives were laid off and a fifth one retired on January 11th. The Board now has one Law Compliance Representative left and it appears as if the fiscal reductions will not permit the employment of replacements until after July 1, 1983 and then depending upon how the Legislature treats our biennial budget request.

PROPOSAL TO AMEND INDEMNITY LAW

Dr. Keller was present for this discussion. This was discussed at the October 15, 1982 Board meeting but no action was taken by the Board and consideration was continued to the January, 1983 meeting. Dr. Keller said that since the October meeting, Federal funds were made available for indemnity purposes. Further, the Federal indemnity regulation was changed, lowering the maximum indemnity for registered animals and grade dairy animals from $440 to $250 and the maximum for grade beef cattle and calves from $62 to $50. Dr. Keller estimated that the number of reactors disclosed in Minnesota each fiscal year would be 122 grades and 15 purebreds. If the State's indemnity law were raised to the limits of the Federal indemnities, the maximum State indemnity, provided no Federal funds were available, would be $22,050 per year. This would not include depopulation of negative exposed animals in infected herds. Considering the present fiscal situation of the State, and the unlikelihood of obtaining additional funds for the next biennium, the Board postponed taking any action for a period of one year, depending upon the availability of Federal funds for indemnity purposes at that time.

APPROVAL OF RIVANOL TEST

Dr. Keller said that rule 2.021 Eradication of swine brucellosis defines a brucellosis test as the Brucella Buffered Antigen test (BBA or Card) or other tests approved by the Board. Dr. Keller recommended that the Rivanol test be approved by the Board since a herd test of swine would not be required based on a positive card test if the Rivanol test is negative. This provision is outlined in the Uniform Methods and Rules. Mr. Rypka moved that the Rivanol test be approved as an official test for swine brucellosis. The motion was seconded by Dr. Contag - motion carried.

PROPOSAL TO MERGE BOARD OF ANIMAL HEALTH AND DEPARTMENT OF AGRICULTURE

The Secretary said that on Monday, January 3rd the Department's Finance Controller called and stated that the he had been directed by the Department of Finance to carry out a study on the amount of money that could be saved by merging the two departments. Since floor space is available in the Agriculture building, the conclusion was that approximately $73,000 could be saved in the biennium by moving the Board of Animal Health into the Minnesota State Department of Agriculture building. However, some remodeling would be necessary and moving expense would be considerable which would reduce the savings for the first year. The Board pays $7.65 per square foot in Metro Square while Agriculture pays $10.06 per square foot. The Secretary said that one of the biggest problems would be the plans to put all brucellosis records into the federal computer at Fort Collins, Colorado. It is almost essential that the Minnesota APHIS office and the Board office be in rather close proximity, since the computer consoles in the Board office are connected to the unit in the APHIS office by cable. The cost might be prohibitive if the Board office were moved to the Agriculture building and the APHIS office remained in Metro Square. The Secretary said that Dr. Ben Pomeroy is the Chairman of the MVMA Legislative Committee and that he would keep Dr. Pomeroy up-to-date as developments take place.

NEXT BOARD MEETING

The next Board meeting was tentatively scheduled for the regular date of Friday, April 15, 1983.

There being no further business to come before the Board, Mr. Rypka moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

J. G. Talmt

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 15, 1983

The meeting was called to order by President Mersch at 9:55 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. R. J. Barton, Mr. K. A. Neeser and Mr. Jerry Rypka. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General. (Secretary's note: True dedication was demonstrated by the fact that all Board members were present even though the Twin Cities had received 13½ inches of snow the day before with 17 inches in Mr. Rypka's area. Driving conditions on Friday morning were anything but favorable.)

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JANUARY 14th, 1983

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

MUSKEGO RENDERING PLANT

Dr. H. R. Olson was present for this discussion. The Board's Final Order of February 8th, 1983 directed the Executive Secretary to enter into a reciprocal agreement with Wisconsin to effectuate the issuance of permits to out of state food processing plants upon adoption by the state of Wisconsin of new rules dealing with the processing, identification and transportation of inedible meat. The Secretary said that on April 14th, 1983 the Assistant State Veterinarian of Wisconsin had informed him by phone that the proposed Order of the State of Wisconsin adopting new rules was still in the hands of the Legislature and that certain amendments had been made in the proposed Order. Dr. Olson read a list of the changes that had been made and they seemed to be for the better. A copy of the final rule as approved by the Wisconsin Legislature will be sent to the Minnesota Board of Animal Health office as soon as it is available, which the Wisconsin offical estimated to be shortly after April 18th. Dr. Olson and Mr. Murphy will consider the new Wisconsin rule and if it is still substantially equivalent to the standards and requirements established by the Minnesota Board of Animal Health, immediate steps will be taken to enter into a reciprocal agreement with Wisconsin so that applications for permits could be accepted from Wisconsin pet food processing plants.

SPECIAL FED VEAL PRODUCERS

Mr. Russell Bathke, Wells, Mr. Sven Farland, Mankato, Mr. Steve Frieler, Paynesville and Mr. Dean McDonald, Carver, appeared before the Board in support of their organization's request that the Board adopt a rule which would require that veal calves sold at auction markets be identified in some manner so that the prospective buyer would be able to determine whether or not a calf has been traded through one or more auction markets. Dr. Pyle was present for this discussion. The Secretary said that letters of support had been received from Mr. Peter VanBeck of Greenwald and from Dr. T. F. Wetzell of the Alden-Wells Veterinary Clinic. Mr. Bathke presented a paper signed by 23 Minnesota veal producers authorizing the delegation to place before the Minnesota Board of Animal Health their problems regarding the health of calves purchased from sale facilities. The 23 signors represented 4,227 stalls. Mr. Bathke said that the producers use order buyers to buy two week old Holstein bull calves from livestock auction markets and that these animals are kept on feed for approximately 16 weeks. The health problems arise with calves that are run through two or more consecutive markets with sometimes two and three day hold overs between sales. In reply to a question from one of the Board members, Dr. Pyle said that calves sold at markets require veterinary inspection only. Tagging of such calves is voluntary. The Chairman asked Mr. Bathke whether or not a voluntary plan for the identification of such calves could be worked out between the veal producer and the livestock auction markets. The delegation was excused at this point and after further consideration, Mr. Rypka moved that the matter be tabled until such time as further research and work with the industry could be carried out with reference to establishing a suitable system of identification that would be feasible to carry out in markets. The motion was seconded by Mr. Neeser - motion carried. The Secretary was instructed to notify Mr. Bathke by letter of the action taken by the Board.

BIENNIAL BUDGET

Copies of the printed Biennial Budget proposal for the Board of Animal Health were distributed to each Board member. The Secretary gave a brief report on the results of the House and Senate Allocation Committee meetings at which the Board of Animal Health proposed budget was considered. The House Committee approved the request except that no

funds were approved for rent for the second year of the biennium. The Senate Committee deleted the request for $250,000 indemnity increase and approved an appropriation of $80,000 for indemnity for the biennium. Additional indemnity funds, if needed, will have to be obtained from the Legislative Advisory Committee. The Senate Committee deleted the inflationary increases which the Secretary was informed was standard procedure for the Senate in all of their considerations on appropriations for other departments. The Committee did approve funds for rent for the second year of the biennium with an added provision that the Board move to the Minnesota Department of Agriculture building only when USDA, APHIS moves also.

The Secretary said that since there was disagreement between the two Committees, the matter would have to be reconsidered by a conference committee and there is a strong possibility that at that time the rent money for the second year of the biennium may again be deleted. A final determination as to whether or not the Board will move will not be made until after the close of the Legislative session and the results of the final state budget have been released. This will probably not be until about June 1st.

MINNESOTA FOOD ANIMAL DISEASE REPORTING SYSTEM

The Secretary said that USDA, APHIS had decided not to establish a Disease Reporting System Pilot Project in Minnesota, and that such projects were being established in Ohio and Tennessee.

PRV ADVISORY COMMITTEE MEETINGS

The Secretary said that the fourth meeting of the Comittee had been held on Wednesday, March 23rd at the Holiday Inn in Mankato and that the next meeting had been scheduled for Wednesday, May 25th at the same place. Dr. Mackey distributed copies of a list of 14 items that were included in the proposed rules considered at the March 23rd meeting:

1. Quarantining of PRV infected herds
2. Traceback of source herds
3. Traceback of other species on the same farm
4. Epidemiological investigation of suspected vaccination titers
5. Establishment of Qualified PRV Negative Herds
6. Establishment of PRV Controlled Vaccinated Herds
7. Intrastate testing of breeding swine
8. Interstate testing of breeding swine
9. Quarantine of all swine moved in Minnesota unless from a Qualified Free Herd, a Controlled Vaccinated Herd or a negative test
10. All feeder pigs moving within the state quarantined to slaughter
11. Community notification
12. No restriction of use of vaccines
13. Testing of exhibition swine
14. Cleanup of vehicles used in transporting of infected swine

PROPOSED PSEUDORABIES LEGISLATION

H.F. 512 introduced by Representative Schoenfeld requires that all breeding swine entering or sold in Minnesota shall have proof of negative test for pseudorabies conducted within 30 days prior to date of entry or sale with certain exceptions. At the House hearing which was held on April 4th, a $75,000 appropriation for the biennium was added to the bill. Companion bill S.F. 950 was introduced by Senator Davis. This proposed legislation has the same requirements as H.F. 512 and in addition was amended to provide that all feeder pigs imported into Minnesota or sold through a swine concentration point shall be restricted to the purchaser's premises until sold for slaughter, with certain exceptions. The proposal which was considered by the Senate Agriculture Committee on April 12th was supported by several representatives of the Minnesota swine industry who testified in favor of the amended bill. Before passing the bill out of Committee, one amendment was added which changed the effective date from July 1, 1983 to January 1, 1984.

Since the House and Senate bills do not agree, the matter will have to go to a Conference Committee. In addition, since there is a $75,000 enabling appropriation added to the bill, the final bill will have to go through the House appropriation and Senate finance committees.

AUTHORIZATION FOR PUBLIC HEARINGS

Dr. Pyle was present for this discussion. At the Board meeting of January 14th, 1983 the Board took action to delete the tuberculosis test requirement for imported cattle and authorized the Secretary to give Notice of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.001 Importation of cattle and bison. Dr. Pyle said that since that meeting he had realized that changes to delete the tuberculosis test requirement for imported cattle would also have to be made in LSB 43 and 3 MCAR § 2.044. He distributed copies of these two rules to each Board member indicating the changes that would have to be made in order to bring the three rules into agreement.

a. 3 MCAR § 2.044 The establishment and operation of public stockyards.

Dr. Contag moved that the amendments for deletion as outlined by Dr. Pyle be approved by the Board and that the Secretary be directed to proceed without a hearing in accordance with the provisions of M.S. 1982, Section 14.22, and that the following resolution be adopted by the Board:

"RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.044 The Establishment and Operation of Public Stockyards, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Rypka - motion carried.

b. LSB 43 The Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at such Markets.

Mr. Barton moved that the amendments for deletion as outlined by Dr. Pyle be approved by the Board and that the Secretary be directed to proceed without a hearing in accordance with the provisions of M.S. 1982, Section 14.22, and that the following resolution be adopted by the Board:

"RESOLVED, that Dr. J. G. Flint, Secretary and Executive Officer of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing amendments to LSB 43 Establishment of State-Federal Approved Markets for Cattle and Sale of Cattle at such Markets, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Neeser - motion carried.

AUTHORIZATION FOR OUT OF STATE TRAVEL

Dr. H. R. Olson requested authorization for out of state travel in the amount of $342.52 to attend the 1983 Regional Conference of NPIP Supervisors and Inspectors for the National Poultry Improvement Plan to be held in Springfield, Illinois, May 5-6, 1983. Mr. Rypka moved that authorization be granted. The motion was seconded by Mr. Barton - motion carried.

ANIMAL WELFARE POLICY

Dr. Mackey said that the Secretary had received a letter from the Education and Development Director of the Minnesota Humane Society requesting that the Board send them a letter outlining the Board's policy statement summary regarding animal welfare. The letter was referred to Dr. Mackey for reply since he had been attending meetings of the Society. Dr. Mackey distributed copies of a proposed Position Paper on Animal Welfare

and this was considered by the Board at quite some length. Mr. Rypka moved that the Secretary be instructed to write a letter to the Minnesota State Humane Society indicating that the Board had discussed this request at the Board meeting, that the Board did not have a formal position paper on animal welfare, but outlining the Board's attitudes towards this subject. The motion was seconded by Mr. Barton - motion carried.

EX-OFFICIO MEMBERSHIP ON HUMANE SOCIETY

The Secretary said that in November, 1982 Dr. Mackey had received an invitation from the President of the Minnesota Humane Society to attend the next meeting of the Society's Board of Directors. Dr. Mackey began attending meetings of the Society on a regular basis and upon questioning by the Secretary, was informed that Dr. Mackey had been designated as an Ex-officio member of the Society. The Secretary said that the Statutes governing the Humane Society provide that the Board of Directors consisting of seven persons shall be appointed by the Governor, and that in addition the Governor, the Commissioner of Education and the Attorney General, or their designees shall serve as Ex-officio non-voting members of the Board. There are no provisions within the Law for appointing Ex-officio members other than those mentioned in the Law. The Secretary said that he was not in favor of Dr. Mackey attending the meetings as a Board employee without the approval of the Board of Animal Health. Mr. Jon Murphy, Special Assistant Attorney General, indicated that he would contact the legal counsel of the Minnesota State Humane Society and have Dr. Mackey's designation as an Ex-officio member deleted. Mr. Neeser moved that Dr. Mackey attend future meetings of the Minnesota Humane Society only upon specific invitation to a specific meeting. The motion was seconded by Dr. Contag - motion carried.

ELECTION OF OFFICERS

Mr. Rypka nominated Dr. Mersch for President. The nomination was seconded by Dr. Contag. Mr. Neeser moved that nominations cease and the Secretary cast a unanimous ballot for Dr. Mersch for President. Motion was seconded by Dr. Contag - motion carried.

Mr. Neeser nominated Dr. Contag for Vice-president. The nomination was seconded by Mr. Rypka. Mr. Neeser moved that nominations cease and that the Secretary cast a unanimous ballot for Dr. Contag. The motion was seconded by Mr. Rypka - motion carried.

The Secretary and Assistant Secretary left the meeting at this point. Mr. Gene Kirchoff, Accounting Division Head, took over the recording of the Minutes in the Secretary's absence. Mr. Kirchoff informed the Board of the Secretary's present salary and the proposed salary increases for state employees. Dr. Contag moved that Dr. Flint be reappointed as Secretary and Executive Officer with a salary increase of 8 per cent. The motion was seconded by Mr. Rypka - motion carried. The Secretary was recalled to the meeting at this point.

REPLACEMENT OF SECRETARY AND EXECUTIVE OFFICER IN 1984

The Secretary said that he would be 65 years of age on November 12th, 1984 and that it was his present plan to retire on or about December 31st, 1984. He stated that he would not retire, however, until his successor had been employed and adequately trained. After considerable discussion, it was the consensus of opinion that all veterinarians licensed and accredited in Minnesota should be given an opportunity to be considered for the position. It was further decided that adequate notice could be given via the Board of Animal Health's Newsletter and the Minnesota Veterinary Medical Association's Newsletter, although this would not get to veterinarians who were not accredited in Minnesota and were not members of the Minnesota Veterinary Medical Association. It was further decided not to make such notification until after the close of the present Legislative session, and to allow a period of at least 90 days after such notification for the acceptance of applications. Dr. Contag moved that the Secretary be directed to place such notification in the Board of Animal Health Newsletter and in the Minnesota Veterinary Medical Association Newsletter in accordance with the provisions outlined in the foregoing. The motion was seconded by Mr. Neeser - motion carried.

NEXT BOARD MEETING

The next quarterly Board meeting was tentatively scheduled for the regular date of Friday, July 15th, 1983.

There being no further business to come before the Board, Mr. Rypka moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

J. L. Flint

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JULY 15, 1983

The meeting was called to order by President Mersch at 9:30 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson and Mr. K. A. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mrs. Sue Halverson, Special Assistant Attorney General. President Mersch welcomed the two new Board members, Mr. Jack Delaney and Mr. Herb Halvorson.

MINUTES OF THE APRIL 15, 1983 MEETING

Mr. Neeser moved that the Minutes as mailed to the Board members by the Secretary be approved. The motion was seconded by Dr. Contag - motion carried.

MUSKEGO RENDERING PLANT - BARR ANIMAL FOODS: PROGRESS REPORT

The Secretary said that this matter which had been dragging on for almost two years had finally been settled. The Muskego Rendering Plant permit to transport carcasses from Minnesota into Wisconsin had expired on June 30th, 1983 with no objections from the company. A reciprocal agreement for pet food plants between Minnesota and Wisconsin was signed on June 23rd, 1983. A permit was issued on July 1, 1983 to Barr Animal Foods to transport carcasses from Minnesota into Wisconsin for animal food purposes.

DR. JOHN ANDERSON: REQUEST TO USE CARD TEST

Dr. John Anderson, official veterinarian at the Zumbrota Livestock Auction Market, appeared on behalf of his request that he be allowed to use the card test on samples that were BA positive. President Mersch asked Dr. Pyle to explain the testing procedures that were carried out at a livestock auction market. Dr. Pyle said that the blood samples were tested by the official veterinarian at the market using the BA test for a screen and conducting the standard plate test on any samples that were BA positive. The diagnosis is made on the basis of the plate test. All samples are sent to the Brucellosis Laboratory for confirmation and any samples that are BA positive are run on the standard plate test, the card test and the rivanol test. Dr. Pyle said that the problem arises when an animal is negative on the plate test conducted by the official veterinarian, diagnosed negative and sold; subsequently, the laboratory test may reveal that the animal is positive to the card test, in which case one of the district veterinarians is sent to trace the animal and have it retested. Dr. Anderson pointed out that this creates a real problem between the purchaser and the livestock auction market. He

feels that animals which are positive to the card test should either be sent to slaughter or back to the farm of origin under quarantine from the livestock auction market, not sold and later traced to the farm of destination. He requested that he be permitted to use the card test for use in the market on any samples that were BA positive. Dr. Pyle said that the card test was used at markets in Iowa, Missouri and Montana on all samples and was used in Illinois on screen positives. Dr. Flint said that Dr. Luchsinger had indicated that APHIS would supply card tests for use on BA positive samples at markets. Dr. Contag moved that Dr. Anderson be permitted to use the card test on BA positive samples on a trial basis for one year and that permits be issued to other livestock auction market veterinarians for use of the card test only after consideration by the Board of each request. The motion was seconded by Mr. Delaney - motion carried.

FEEDER PIG STREET SALES

Dr. John Anderson and Dr. Pyle were present for this discussion. Dr. Flint said that Mr. Dale Melin, former manager of the American Feeder Pig Coop, Sauk Centre, Minnesota and a member of the Board of Animal Health's Pseudorabies Advisory Committee, had complained about the unrestricted sale of feeder pigs at numerous street sales throughout the state. Dr. Pyle gave a brief history of the street sales in Minnesota starting with the one at Little Falls which was in operation prior to 1960. Dr. Flint said that the reason that these sales were excluded from the Board's rule on auction markets and community sales was due to the definition in rule LSB 41 which provides that community sales shall mean the public sale of livestock for purposes other than immediate slaughter, from any location in Minnesota where such livestock owned by two or more persons is assembled for sale. The interpretation has been that swine at these street sales are not assembled for sale, but rather are assembled and comingled after the sale. It was agreed that street sales of feeder pigs should be under the supervision of the Board, and the Secretary pointed out that the new pseudorabies law provides for the restricted movement of feeder pigs. Dr. Pyle said that one solution would be to amend rule LSB 41 specifically providing that street sales are covered by the rule. There would be no requirements for facilities, but would require the presence of an official veterinarian, would require eartagging and the issuance of quarantines. After further discussion the Secretary was directed to have Dr. Pyle submit a proposal for amending rule LSB 41 which would bring the feeder pig street sales under the

provisions of that rule.

1984 - 85 BIENNIAL BUDGET

Mr. Kirchoff distributed copies of a brief summary of the budget.

	FY 84	FY 85
Board of Animal Health Request	$ 1,392,000	$ 1,416,200
Change Request Not Appropriated	(155,000)	(218,200)
Legislative Appropriation, Chapter 293, Sec. 6	$ 1,237,600	$ 1,198,000

Reductions were in the items of indemnity, inflation and rental of office space.

BRUCELLOSIS TESTING - GOATS

Dr. Keller distributed copies of an office memorandum pertaining to this subject. The 1982 report of the USAHA Brucellosis Committee indicates that the prevalence of brucellosis in goats is negligible or nonexistent. Based on this, a petition was received by the Board on March 25th, 1983 signed by 24 members of the Three Rivers Dairy Goat Association, Champlin and a second petition received on May 2nd, 1983 signed by 11 members of the Pine Caprine Council, Sandstone. These petitions requested that the Board discontinue the requirements for the brucellosis testing of dairy goats in Minnesota. Dr. Keller said that a letter of clarification signed by the President of the Minnesota Dairy Goat Association states that the Association favors brucellosis and tuberculosis testing but would like to see the 90 day test limit for exhibitions extended to 150 days. Dr. Keller said that goats had been tested for brucellosis in Minnesota as follows:

1978	1264
1979	1023
1980	1097
1981	1213
1982	1527

He said that one reactor was recently disclosed in Minnesota and is presently under quarantine and is being periodically retested. Dr. Keller said that the options that could be considered by the Board would be for the goat owners to attain the classification of Certified Herds which would require two negative annual tests or that the exhibition test requirement be extended to 150 days. The Secretary said that if the test limit were extended to 150 days prior to exhibition, certainly cattle owners would ask for the same thing. After further discussion, the Board decided to take no action regarding the request and to leave the testing requirements unchanged. The Secretary was instructed to notify the dairy goat association to that effect.

REDUCED DOSE BRUCELLOSIS VACCINE

Dr. George Keller was present for this discussion and distributed copies of an office memorandum pertaining to the subject. Rule 3 MCAR § 2.011 provides that dairy calves may be vaccinated from 2 through 5 months of age and beef calves from 2 through 7 months of age with the standard brucella abortus vaccine. The Brucellosis Uniform Methods and Rules provides that dairy calves may be vaccinated while from 2 through 6 months of age and beef calves while from 2 through 10 months of age. The standard dose provides a minimum of 25 billion organisms while the reduced dose provides from 3 to 10 billion organisms. Although the Uniform Methods and Rules provide that the reduced dose vaccine may be used on both dairy and beef calves while from 4 through 12 months of age, it was the staff's recommendation that the reduced dose be limited to both dairy and beef calves while from 4 through 8 months of age. It was further recommended that the use of both the standard vaccine and the reduced dose vaccine be permitted for at least until such time as the standard dose may no longer be available. Dr. Keller said that Wisconsin had set limits of from 4 to 10 months of age and Illinois from 4 through 7 months of age. After considerable discussion, Dr. Contag moved that the rule be amended to provide for the vaccination of calves with the reduced dose vaccine while from 4 through 10 months of age. The motion was seconded by Mr. Neeser - motion carried. Mr. Delaney moved that the Secretary be directed to proceed without a hearing in accordance with the provisions of MS 1982, Section 14.22, and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that notice be given of the Board's intent to adopt without a public hearing, rules governing 3 MCAR § 2.011 - Eradication of bovine and bison brucellosis, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules, as well as perform any and all acts incidental thereto, including, but without being limited to, signing an Order for Hearing and Notice of Hearing, as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Halvorson - motion carried.

1983 USAHA MEETING

The Secretary said that the next annual meeting of USAHA was scheduled for Las Vegas, Nevada, October 17 through 21. He reminded the Board that attendance at this meeting

would require Board authorization since the Board had adopted a policy during the fiscal emergency that all out-of-state travel would require Board authorization. It has been customary that the Secretary and one Board member attend this meeting at State expense. Dr. Contag moved that the Secretary be authorized to attend the 1983 USAHA meeting. The motion was seconded by Mr. Neeser - motion carried. Mr. Halvorson moved that President Mersch be authorized to attend the 1983 USAHA meeting. The motion was seconded by Mr. Delaney - motion carried.

RELOCATION OF BAH OFFICE

The Secretary said that relocation of the office to the Minnesota Department of Agriculture Building was now tentatively scheduled for the first week of August. Since the October meeting of the Board would be held in that building, the Secretary was instructed to send the Board members a map along with the notice of the next meeting.

RETIREMENT OF SECRETARY AND EXECUTIVE OFFICER

The Secretary said that in accordance with the action taken by the Board at the April meeting, a notice had been placed in the July Newsletter and arrangements had also been made for a notice to appear in the August issue of the MVMA Newsletter. Dr. Mackey distributed copies of the July Newsletter to all Board members. The Secretary said that it might be difficult to make a definite timetable for his retirement and replacement, since legislation might be introduced during the 1984 session that would call for re-organizing the Board of Animal Health into the State Department of Agriculture. The 1984 session will be held during the months of March and April. If such legislation is accomplished, and if it were the same as the legislation introduced in 1977, the Secretary and Executive Officer's position might be placed in the classified service and would be picked from the eligible list by the Commissioner of Agriculture. If such legislation did come about, much would depend upon the effective date, which could be July 1, 1984 if specified, August 1st, 1984 if not specified or even January 1st, 1985.

PROPOSED USDA BRUCELLOSIS QUARANTINE ON THE STATE OF TEXAS

USDA published notice declaring the intent to establish an emergency quarantine on the state of Texas effective June 1, 1983. This action was taken because measures in that state were not adequate to prevent the interstate spread of brucellosis. Since this proposal was enjoined by the District Court on May 31st, 1983, USDA withdrew its proposal

to establish a quarantine on an emergency basis and provice a comment period until July 25th, 1983. The proposals were withdrawn by USDA on June 28th, 1983 since the Texas legislature passed a brucellosis bill while meeting in a special session called by the Governor. This bill will give Texas the authority it needs to meet the requirements of the National Brucellosis Eradication Program.

CATTLE IMPORTS FROM TEXAS

Dr. Pyle said that he had received a letter from the State Veterinarian of Texas requesting that Minnesota accept cattle from Texas on the basis of the brucellosis classification giving Texas both class "B" and class "C" areas. Dr. Pyle displayed a map showing that approximately one-third of the eastern section of Texas was classified as class "C" while the balance is classified as class "B". In view of the fact that Minnesota is presently having some brucellosis problems, the Board took no action on the Texas request, but the Secretary was instructed to write to the Texas Animal Health Commission commending Texas on its progress in the brucellosis program but stating that the Board did not feel that it could comply with the Texas request at this time.

PSEUDORABIES LAW

Copies of the Conference Committee report on SF 950 had been mailed to all Board members. The Secretary said that the Conference Committee had cut the bill down from a two page 49 line proposal to a one page three and a half line bill. It provides that "the Board of Animal Health shall adopt rules to implement a program to control pseudorabies in swine, including pseudorabies testing of breeding swine and restricted movement of feeder pigs." The effective date is given as the day following final enactment which was May 24th, 1983. Mr. Halvorson said that he would like to see a copy of the original proposed bill. The Secretary had copies prepared and distributed to all Board members of the original HF 512, the original SF 950 and the amendments to SF 950.

PROPOSED PSEUDORABIES RULE: AS RECOMMENDED BY THE ADVISORY COMMITTEE

For the benefit of the two new Board members, the Secretary briefly described the Pseudorabies Advisory Committee which held five meetings from January 1982 to the final meeting on May 25th, 1983. The proposed rule that would be considered today was the one that was recommended by the Pseudorabies Advisory Committee at the close of its May 25, 1983 meeting. Dr. Mackey gave a brief background on the incidence of

pseudorabies in Minnesota, in other states and foreign countries. Dr. Mersch expressed the opinion that it definitely was time to do something about this disease and that he would not like to see too much of the Advisory Committee's proposals deleted. The Secretary said that he was concerned because although the Legislature had seen fit to pass legislation directing the Board to take certain actions to control pseudorabies, it had failed to appropriate any funds for that purpose and in addition had lowered the Board's approved complement from 40 persons to 35. He questioned whether or not it would be advisable for the Board to adopt a complete program as is outlined in the proposal and then go to the Legislature requesting money to carry it out. It was his further opinion that if the Legislature refused to appropriate additional funds for this purpose that the Board would be in a position of having a very complete rule that it could in no way carry out nor enforce.

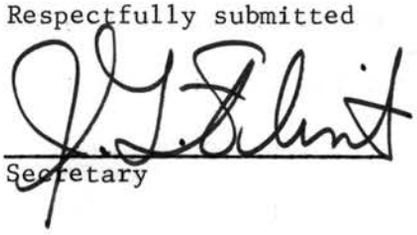
The Board went through the first three pages of the proposed rule, item by item. Dr. Mackey was instructed to make several revisions and amendments. At 4:20 p.m. President Mersch said that it was obvious that the Board was not going to be able to complete the proposed rule at this meeting. After further consideration, Mr. Delaney moved that a special meeting of the Board be held on Friday, August 19th, in New Ulm, Minnesota to complete consideration of the proposed pseudorabies rule. The motion was seconded by Mr. Halvorson - motion carried. The Secretary was instructed to arrange a meeting to be held in the Holiday Inn in New Ulm on Friday, August 19th, starting at 9:30 a.m. He was further instructed to invite the six legislators who had been on the Conference Committee for SF 950 along with Representative Carlson to meet with the Board starting with a luncheon at 1:00 p.m. on that date.

The Secretary said that in order to comply with the provisions of the Public Meeting law, notice of the special Board meeting would have to be published in the State Register in advance of the meeting date.

NEXT REGULAR MEETING OF THE BOARD

The next regular quarterly meeting of the Board was tentatively scheduled for Friday, October 14th, 1983. There being no further business to come before the Board, Mr. Neeser moved that the meeting be adjourned. The motion was seconded by Dr. Contag - motion carried. The meeting was adjourned at 4:30 p.m.

Respectfully submitted



Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, AUGUST 19, 1983

The meeting was held at the Kaiserhoff Restaurant in New Ulm, Minnesota and was called to order by President Mersch at 9:50 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, and Mr. K. A. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, and Dr. W. J. Mackey, Assistant Secretary. The Secretary said that a notice of the special board meeting had been published in the State Register, Volume 8, Number 6, August 8, 1983, bringing the special meeting into compliance with the provisions of the Public Meeting Law.

MINUTES OF JULY 15, 1983 MEETING

There was some discussion regarding use of the card test at markets and the use of the reduced dosage brucellosis vaccine. Mr. Halvorson moved that the Minutes as mailed to the Board members by the Secretary be approved. The motion was seconded by Dr. Contag - motion carried.

PROPOSED PSEUDORABIES RULE (CONTINUED FROM JULY 15, 1983 MEETING)

Dr. Mackey distributed copies of three handouts to each Board member: A state map showing the accumulated total pseudorabies quarantined herds as of August 19, 1983: a state map showing the pseudorabies infected seedstock herds disclosed since January 1, 1983; and an estimated yearly cost of $131,690 for implementing the proposed pseudorabies control rule. The Board reviewed the changes that had been made in Title A through Title D at the July 15th meeting, and then proceeded to go through the balance of the proposed rule item by item. Dr. Mackey was instructed to make several additional revisions and amendments.

The Board took formal action on two items. After some discussion, Dr. Contag moved that an amendment be made in Title J providing that the Town Board be notified of herds placed under quarantine for pseudorabies and the approval of quarantined feedlots by a letter to the Clerk of the Town Board. The motion was seconded by Mr. Neeser - motion carried.

After some discussion, Mr. Delaney moved that an amendment be made in Title D, deleting in its entirety section 5 which provides that quarantined swine from a known infected herd may move directly to other quarantined premises with permission of the Board, replacing it with a section providing that no person shall sell swine which

are known to be infected with or have recently been exposed to pseudorabies, except directly to slaughter or in the case of feeder pigs, sold to a quarantined feedlot. The motion was seconded by Mr. Halvorson - motion carried.

MEETING WITH LEGISLATORS REGARDING PROPOSED PSEUDORABIES CONTROL RULE

In accordance with action taken by the Board at the July 15th meeting, the Secretary had invited the six Legislative members of the Conference Committee and Representative D. W. Carlson to attend a luncheon meeting with the Board on this date. The following individuals met with the Board from 1:50 p.m. to 3:15 p.m.: Representative G. E. Schoenfeld, Waseca, Representative H. J. Kalis, Walters, Representative D. W. Carlson, Sandstone, Senator D. R. Frederickson, Morgan, Senator G. M. DeCramer, Ghent and Mr. Richard Pfutzenreuter, Legislative Analyst, House Appropriation Committee, Semi-state Departments. At the direction of the President, Dr. Mackey gave a brief summary of the pseudorabies situation in Minnesota. He distributed copies of the two maps and the estimated yearly cost of the program to each legislative guest along with a copy of the proposed pseudorabies control rule. Dr. Mackey gave a brief summary of the rule and commented on some of the more important aspects of the proposed rule. He and the Secretary both stressed the fact that the proposed program could not be completely carried out or adequately enforced without some additional assistance in the form of funds and personnel. Representative Schoenfeld pointed out that the Board had been authorized to approach the LAC (Legislative Advisory Committee) for funds with which to carry out the program. There was considerable discussion and some disagreement as to whether or not funds would be available from the LAC upon request. It was finally agreed that if funds were not available from the LAC, the Board should approach the Legislature at the next session for additional funds for this purpose. The guests left the meeting at 3:15 p.m.

President Mersch directed that the changes be incorporated in a new draft and submitted to the Board members in adequate time so that it could be studied before the October 14th Board meeting. Dr. Mackey was further instructed to prepare the new draft in a legislative bill format, showing the deletions as strikeouts and additions underlined.

PETER VAN SANTEN HERD DEPOPULATION

The Secretary gave a brief summary of the history of the Van Santen herd dating back to the date of the first herd quarantine, January 5, 1981. He distributed copies of a summary prepared by Dr. Keller showing that since that date 7,036 head of cattle had been tested on 24 different dates. Seventy-three brucellosis reactors were disclosed and it was the consensus of the Board's staff that the best procedure would be to depopulate the entire herd. Federal funds would probably be available for indemnity until the close of the Federal fiscal year, September 30, 1983. The Secretary said that State indemnity funds are available and that the herd does meet the criteria for depopulation as outlined in 3 MCAR § 2.011 Eradication of brucellosis.

The Secretary distributed copies of a report prepared by Dr. Keller showing State and Federal indemnity funds required to depopulate four of the five brucellosis quarantined herds in Minnesota. One herd has had two negative brucellosis tests and it is the opinion of the brucellosis staff that this herd can be cleaned up by further testing. The staff is recommending that the other four herds, including the Van Santen herd, be depopulated. The estimated Federal indemnity required would be $157,950 and the estimated State indemnity would be $89,870. Mr. Van Santen has agreed to castrate all of the bulls under 20 months of age which would be an approximate savings of State indemnity of $18,750, making the estimated State indemnity $71,120.

There was considerable discussion regarding the pros and cons of depopulating the Van Santen herd. Mr. Delaney moved that the Board agree to pay the State indemnity for the four herds listed on the exhibit. The motion was seconded by Mr. Halvorson. Four Board members voted aye. Dr. Contag voted nay.

There being no further business to come before the Board Mr. Neeser moved that the meeting be adjourned. The motion was seconded by Mr. Delaney - motion carried. The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, OCTOBER 14, 1983

The meeting was called to order at 9:35 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

MINUTES OF THE SPECIAL BOARD MEETING OF AUGUST 19, 1983

Mr. Halvorson moved that the Minutes as mailed to the Board members by the Secretary be approved. The motion was seconded by Dr. Contag - motion carried. Mr. Halvorson referred to the action taken by the Board at that meeting providing for the notification by letter to the Clerk of the Town Board of all herds placed under quarantine for pseudo-rabies and the approval of quarantined feedlots. He recommended that a form letter of explanation be included with each letter sent to the Clerks of the Town Boards.

BRUCELLOSIS INFECTED HERDS IN MINNESOTA

The Secretary said that he was extremely pleased to be able to inform the Board that as of the date of this Board meeting, there were no known brucellosis infected herds in the state of Minnesota.

ADOPTION OF 3 MCAR § 2.011 ERADICATION OF BOVINE AND BISON BRUCELLOSIS

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.011. Notices had been sent to all individuals who had filed their names with the Board to receive such notices. The notice was published in the State Register, September 12, 1983. Dr. Mackey said that no comments had been received and that there were no requests for a public hearing.

Mr. Delaney moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.011, Eradication of Bovine and Bison Brucellosis be and they are hereby approved and amended pursuant to authority vested in us by Minnesota Statutes 35.03, and that Dr. R. L. Mersch, the President of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Neeser - motion carried.

AUTHORIZATION TO AMEND RULE LSB 41 SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY AND OTHER SALES

At the July 15, 1983 Board meeting the Board directed Dr. Pyle to submit a proposal

for amending rule LSB 41 which would bring the feeder pig street markets under the provisions of that rule. A copy of the proposal had been submitted to all Board members by mail on September 26th. Dr. Pyle said that feeder pig street markets were now being held in Litchfield, Buffalo, Glencoe, Ellendale, Madelia, Swanville, Hayfield, Becker, Elrosa, and Foley. In addition the Glencoe market was selling calves as well as pigs.

Mr. Carl Tessmer, a feeder pig dealer from Rogers, Minnesota, had requested permission to appear before the Board to discuss the proposed amendment to rule 41. Mr. Tessmer was accompanied by Mr. John E. Speldrich, a feeder pig dealer from Belgrade, Minnesota. Mr. Tessmer said that they were promoting farm fresh pigs that had not been unloaded nor comingled prior to sale. He also stressed that he was not going from farm to farm picking up pigs and possibly carrying disease along with him, since as he said, good producers don't want them on his farm. He said that they did not allow dealers to consign pigs to these sales and that so far they have had no complaints from purchasers regarding the pigs purchased at these sales. Mr. Speldrich suggested an alternative whereby pigs would be tattooed on the home farm instead of having to be identified by eartag.

The Board pointed out that it was in the process of developing a program for the control of pseudorabies and that there was concern that unregulated sales of feeder pigs could conceivably adversely affect the pseudorabies control program. Mr. Tessmer and Mr. Speldrich were informed that the Secretary would notify them by mail as to any action taken by the Board regarding this rule. The Secretary explained the procedures involved in the Administrative Procedures Act, pointing out the requirement of public notification and the requirement to hold a public hearing if seven or more people request one.

After the delegation left, the Board discussed the matter at quite some length. The Board was concerned that amendments to the rule not run these smaller sales out of business. A suggestion was made that perhaps a triangular or round hole punched in the ears of pigs moving through a concentration point could be used in lieu of eartags and restricted feeder pig certificates. Dr. Pyle was instructed to prepare further proposals for consideration at the next regular Board meeting.

MINNESOTA DEPARTMENT OF AGRICULTURE

Commissiner Jim Nichols, Deputy Commissioner R. M. Dennistoun and Mr. A. C. Schloesser, Director of Livestock Licensing and Weighing, came to discuss the licensing of Mr. Peter Van Santen as a dealer in Minnesota. Dr. Keller and Dr. Pyle were also present for this discussion. Commissioner Nichols said that the Department of Agriculture and the Board of Animal Health need a better relationship in dealing with livestock dealers since neither department has the statutes that are really needed to properly enforce dealer licensing. Mr. Jon Murphy, Special Assistant Attorney General, said that the statutes relating to the enforcement powers of the Board of Animal Health definitely need strengthening and that he will prepare a suggestion for consideration by the Board at the next regular Board meeting. Any such changes would require legislative action.

Commissioner Nichols inquired as to the status of the Van Santen quarantined herd. Dr. Keller informed him that the herd had been entirely depopulated and sent to slaughter. The question of indemnity paid to Mr. Van Santen came up and Dr. Keller supplied the following information:

1. Total appraisal $506,678
2. Salvage $213,855
3. Federal indemnity paid $144,500
4. State indemnity paid $47,914
5. Total indemnity $192,414
6. Deficit to Mr. Van Santen $100,409

There was considerable discussion regarding the appraisal of the Van Santen cattle. Dr. Keller said that the herd had been appraised in accordance with the provisions in the Minnesota statutes by the owner of the cattle and by a district veterinarian representing the Board of Animal Health. Several opinions were expressed that the appraisal values of the adult animals may have been high considering the value of dairy cows at that time.

BOVINE TUBERCULOSIS OUTBREAK IN WISCONSIN

Dr. Pyle distributed copies of two pages of a Wisconsin Newsletter outlining an outbreak of bovine tuberculosis that was disclosed in Wisconsin on May 13th, 1983. Four herds are known to be involved with cattle from one herd having been sold through a scheduled sale to 25 different buyers. To date, there have been 226 reactors removed from the four herds. Two of the herds are purebred herds with numerous sales and contacts out of

the herds. The question arose as to whether or not the Board should take action to adopt the three rules which were amended to delete the tuberculosis test requirement. Both Dr. Pyle and the Secretary expressed the opinion that the tuberculosis test requirement for the importation of cattle was probably doing very little to prevent the introduction of bovine tuberculosis into the state, and the cost of having these cattle tested for tuberculosis represented a considerable expense to the producers and the purchasers. It was finally decided that action would be taken to adopt the three rules which were amended and if at a later date this was determined to be a problem, there would be no alternative but to amend the rules to again require a tuberculosis test for importation.

ADOPTION OF 3 MCAR § 2.001 IMPORTATION OF CATTLE AND BISON

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.001. Notices had been sent to all individuals who had filed their names with the Board of Animal Health to receive such notices. Official notice had been published in the July 18th, 1983 issue of the State Register. Dr. Mackey said that no comments had been received and that there were no requests for a public hearing. Dr. Contag moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.001, Importation of Cattle and Bison be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 14.05 and that Dr. R. L. Mersch, the President of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Delaney - motion carried.

ADOPTION OF 3 MCAR § 2.044 ESTABLISHMENT AND OPERATION OF PUBLIC STOCKYARDS

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to 3 MCAR § 2.044. He said that notices had been sent to all individuals who had filed their names with the Board of Animal Health to receive such notices and that official notice had been published in the July 18th, 1983 issue of the State Register. Dr. Mackey said that no comments had been received and there were no requests for a public hearing. Dr. Contag moved that the following resolution be adopted by the Board:

"RESOLVED, that the rules relating to 3 MCAR §§ 2.044, Establishment and Operation of Public Stockyards, be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 14.05 and that Dr. R. L. Mersch, the President of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Delaney - motion carried.

ADOPTION OF LSB 43 ESTABLISHMENT OF STATE FEDERAL APPROVED MARKETS FOR CATTLE AND SALE OF CATTLE AT SUCH MARKETS

The Secretary said that proper notice had been given of the Board's intent to adopt without a public hearing amendments to LSB 43. Notices had been sent to all individuals who had filed their names with the Board to receive such notices and official notificiation had been published in the July 18th, 1983 issue of the State Register. Dr. Mackey said that no comments had been received and that there were no requests for a public hearing. Dr. Contag moved that the following resolution be adopted by the Board:

"RESOLVED, that the rules relating to LSB 43, The Establishment of State/Federal approved Markets for Cattle and Sale of Cattle at Such Markets, be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 14.05 and that Dr. R. L. Mersch, the President of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Delaney - motion carried.

PROPOSED PSEUDORABIES RULE (CONTINUED FROM AUGUST 19th, 1983 MEETING)

Copies of the fourth revision of the proposed rule had been mailed to all Board members on September 29th. The Board went through the proposed rule item by item, giving special attention to changes that were made at the August 19th meeting. As a result of the discussion earlier in the meeting referring to proposed changes in rule LSB 41, consideration was given to punching a hole in the ear of feeder pigs in lieu of the requirement for an eartag and restricted movement certificate. It was suggested that a short test project be carried out to determine the feasibility of applying a small round hole to the ear of feeder pigs, particularly with respect to bleeding, possibility of the hole being ripped out, and whether or not the holes would remain open. After further discussion, Mr. Halvorson moved that Dr. Mackey be directed to prepare an alternative to Title H, Section 1, (a) to the effect that swine classified as feeder pigs be identified with a round hole in the right ear that would take the place

of a restricted movement certificate and eartag unless an eartag would be required for other purposes, and that a feasibility study be carried out on a minimum of 200 head of feeder pigs that would be fed in a minimum of 10 different locations for a 30 day period. The motion was seconded by Mr. Neeser - motion carried.

The Secretary said that as a point of information only, when the final PRV control rule is adopted, this will mandate amendments in the following rules: 1. §§ 2.005 Importation of Swine 2. § 2.040 Exhibition 3. § 2.041 Livestock Auction Markets 4. §§ 2.042 State Federal Markets for the Sale of Swine 5. § 2.044 Public Stockyards

TEMPORARY OR EMERGENCY RULES

During the discussion of the tuberculosis outbreak in Wisconsin, one of the Board members questioned whether or not the Board could put into effect temporary or emergency rules. After taking the matter under consideration, Mr. Jon Murphy, Special Assistant Attorney General, informed the Board that recent legislation provided that specific legislative authority was needed in order for an agency to put into effect temporary or emergency rules. Mr. Murphy stated that there was no such provisions in Chapter 35 of the Minnesota Statutes. Mr. Murphy stated that he would prepare such an amendment to be considered by the Board at the next regular meeting. Such an amendment would require legislative action.

BRUCELLOSIS PLATE ANTIGEN

The Secretary said that the practicing veterinarians in Minnesota were no longer able to obtain antigen to conduct private tests for brucellosis. Burroughs-Welcome Company is the only company producing the antigen and is present not manufacturing the antigen and may not resume the production of the antigen in the forseeable future. A copy of a letter received from the APHIS Regional Director regarding this subject had been mailed to all Board members by the Secretary on October 4th. This letter points out that Federal antigen is to be use for official use only at Diagnostic Laboratories and salebarns, which precludes the distribution of government produced antigen to veterinarians in practice. The letter further points out that one of the concerns is to treat everyone equally and that is is not financially feasible to provide antigen to every veterinarian in the United States.

The Secretary stated that in his opinion it was extremely important that the prac-

ticing veterinarian be able to obtain antigen to conduct brucellosis tests. He had already received complaints from several veterinarians in the state who told him that if livestock dealers in their areas are not able to get cattle tested by the local practitioner, they are going to go ahead and sell them without a test.

The Secretary said that it was obvious that the federal government was not treating everyone equally since he had determined by telephone calls to various State Veterinarians that the federal government was supplying brucellosis plate antigen to practitioners in South Dakota, Nebraska and North Dakota, and that the federal government supplies BA antigen to Iowa practitioners for field testing. The Secretary said that with the permission of the Board, he intended to bring this matter up before the National Assembly at the USAHA meeting in Las Vegas, Nevada on Monday morning October 17th. He has requested that a representative of the federal government be present at the time the matter is discussed. The Secretary said that his attitude was that either all states should be supplied with the antigen or none. There should certainly be no discrimination as presently exists. Mr. Neeser moved that the Board support the Secretary's attitude in this matter and that he be authorized to make the necessary presentation at the National Assembly. The motion was seconded by Mr. Delaney - motion carried.

SPECIAL BOARD MEETING

The Board determined that it would be necessary to have a special Board meeting in order to complete the consideration of the proposed pseudorabies rule. The Secretary was directed to make the necessary arrangements to hold a special Board meeting in New Ulm on Tuesday, November 29th or in St. Cloud on Friday, December 9th.

NEXT REGULAR BOARD MEETING

The next regular meeting was scheduled for Friday, January 13, 1984. Two members said that they would be unable to attend the meeting on that date. The Secretary said that he had been previously informed by a Special Assistant Attorney General that a regular Board meeting could be postponed but that it could not be held prior to the regular date. He suggested that the date of the next quarterly Board meeting be determined at the Special Board meeting which will be held in either November or December.

There being no further business to come before the Board, Mr. Halvorson moved that

the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, DECEMBER 9th, 1983

The meeting was held at the Americanna Inn, St. Cloud, Minnesota and was called to order by President Mersch at 9:45 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson and Dr. K. E. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer and Dr. W. J. Mackey, Assistant Secretary.

SPECIAL MEETING NOTICE

The Secretary said that in order to comply with the requirements of the Open Meeting Law, a Notice of Special Board Meeting had been published in the State Register, Volume 8, No. 20, November 14th, 1983.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, OCTOBER 14th, 1983

Mr. Neeser moved that the Minutes as mailed to the Board members by the Secretary be approved. The motion was seconded by Dr. Contag - motion carried.

PROPOSED PSEUDORABIES RULE (CONTINUED FROM OCTOBER 14th, 1983 MEETING)

As a result of action taken by the Board at the October 14th, 1983 meeting, a small feasibility study was carried out at Madelia where approximately 50 sixty to sixty-five pound pigs were ear punched with a 3/8 inch diameter hole in the right ear. Dr. Pyle said that no problems arose during the process and that there was very little bleeding. He checked the pigs at a later date on the four farms that they went to and Dr. Pyle said that the owners had no problems with the pigs. He did state that the hole is pretty small and might not be noticed unless one is looking for it.

Dr. Mackey said that he had contacted some market owners and the ones he had talked to informed him that they wanted to continue tagging, even if the ear punches are required. Title H: Intrastate Movement of Feeder Pigs. This section was rewritten since the October Board meeting. The first section provides that swine shall be identified at the swine concentration point by a 3/8 inch diameter hole punched in the right ear. After further discussion Dr. Mackey was directed to change that section to specify that a hole at least ½ inch in diameter be punched in the right ear plus an identification eartag where required.

At the October 14th meeting the term "street markets" had been deleted from Title A, Section 11, definition of swine concentration points. After considerable

discussion, Dr. Mackey was directed to put street markets back into the definition of swine concentration points.

Under Title I, Section 1, Dr. Mackey recommended that the definition of a Pseudorabies Controlled Vaccinated Herd be amended to include a provision that the herd must have been free of pseudorabies for a period of at least 12 months. The Board approved this recommendation.

Under Title I, Section 2, Dr. Mackey was directed to include a provision for an epidemiological investigation if titers are disclosed in the progeny or on a 30 day retest.

Dr. Mackey was directed to add a new Title M as recommended by Mr. Neal Black, President of LCI, as a result of a discussion that was held at the 1983 USAHA meeting. The Section would permit the Board to approve exceptions to these rules in furtherance of the pilot projects to study eradication or control methods or the experimental use of biological products. Dr. Contag moved that the proposed rule for the Control of Pseudorabies be approved by the Board and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board governing 3 MCAR § 2.024 Control of Pseudorabies, as well as perform any and all acts incidental thereto, signing an Order for Hearing and Notice of Hearing, as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Halvorson - motion carried.

PROPOSED MINNESOTA PSEUDORABIES PILOT PROJECT NUMBER 1

Present for this discussion were Mr. Neal Black, President LCI, Dr. C. B. Schmidt, Oxford Laboratories, and Dr. Martin E. Bergeland and Dr. Glen Nelson of the Minnesota Diagnostic Laboratory. Dr. Mackey distributed copies of a Procedures Manual. Mr. Black said that the Radial Immunodiffusion Enzyme Assay (RIDEA) test for pseudorabies had been developed at the University of Minnesota by Dr. Han Soo Joo. This test had been discussed at quite some length at the Annual Meeting of USAHA in October and it was suggested that a pilot project be established in Minnesota for the purpose of determining the feasibility and economic practicality of the test in cleaning up

known infected herds. A 13 person Steering Committee had been set up to oversee the planning and implementation of the project and the membership of this Committee was listed in the Procedures Manual. Mr. Black stated that the proposed project was supported by the Minnesota Pork Producers' Association.

Mr. Black also briefly outlined two other proposed pilot projects for the future. Project No. 2 would utilize the test by practicing veterinarians in their practices and project No. 3 would consist of an area eradication program. This project would require public funds. (state and/or federal)

Dr. C. B. Schmidt outlined the procedures for conducting the RIDEA test and demonstrated the actual laboratory supplies that would be required in the test. Dr. Schmidt said that the test required federal approval before it could be considered as an official test and that Oxford Laboratories was in the process of taking the necessary steps towards such approval.

After considerable further discussion Mr. Halvorson moved that the Board approve and authorize the proposed Minnesota Pseudorabies Pilot Project No. 1 and further that the Board approve the concept of Projects No. 2 and No. 3 for future action. The motion was seconded by Mr. Neeser - motion carried.

ANAPLASMOSIS

Dr. Mackey said that he was presently preparing a loss analysis for anaplasmosis in Minnesota based upon estimates that were submitted by the district veterinarians after interviewing the owners of herds in Minnesota that were infected with anaplasmosis or had been infected. He proposed that these figures be the basis for submitting a request to the Legislature through Representative Doug Carlson for funds to be appropriated to the University of Minnesota for anaplasmosis research. The Board had no objections to the proposal but were of the opinion that the Board should not become involved in any additional projects until such time as the pseudorabies control program and the proposed pseudorabies pilot project No. 1 were being adequately carried out.

PETER VAN SANTEN HERD DEPOPULATION

The Secretary presented the following information that had been compiled by Dr. Pyle: 548 cows appraised September 8th, 1983. The eartag numbers of the cattle that were present in the herd on previous tests as follows:

5-11-81 - 267 tags
7-12-82 - 335 tags
5-31-83 - 429 tags

There were a total of 488 tags that appeared on previous tests or vaccination records Mr. Delaney recommended that in future herd depopulations the Board utilize the services of a professional appraiser.

RETIREMENT: DR. PAUL PUGH

The Secretary said that Dr. Paul Pugh would be retiring on January 13th, 1984. Dr. Pugh is a state district veterinarian and has a nine county district south of and including the Twin City area. The Secretary said that 27 applications for this vacancy had been received and that he was presently in the process of interviewing the top 12 applicants on the Civil Service list.

SECRETARY AND EXECUTIVE OFFICER: SUCCESSOR

The Secretary said that he had tentatively set a retirement date of November 12th, 1984 which is his 65th birthday. As a result of the notices put in the Board of Animal Health Newsletter and the MVMA Newsletter, six applications for the position of Secretary and Executive Officer have been received.

The Board discussed the time frame for interviews and appointment. A complicating factor is the possibility of legislation being introduced during the March - April 1984 session of the Legislature to reorganize the Board of Animal Health into the State Department of Agriculture. If such legislation were passed, the appointment of the State Veterinarian would probably be up to the Commissioner of Agriculture, and the appointment date would depend upon the effective date of the legislation.

After further discussion, the Board directed the Secretary to schedule the interviews for the six applicants at the January Board meeting.

NEXT BOARD MEETING

Due to prior commitments on the part of some Board members, the regular quarterly Board meeting for January 1984 was rescheduled from the regular date of Friday, January 13th to Friday, January 27th, 1984.

There being no further business to come before the Board, Mr. Neeser moved that the meeting be adjourned. The motion was seconded by Mr. Halvorson - motion carried. The meeting was adjourned at 4:05 p.m.

Respectfully submitted

J. G. Talmt

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JANUARY 27, 1984

The meeting was called to order by President Mersch at 10:00 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, and Mr. K. E. Neeser. Also present was Dr. J. G. Flint, Secretary and Executive Officer. Dr. W. J. Mackey, Assistant Secretary was present except for the interviews of the first five applicants.

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, DECEMBER 9th, 1983

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

INTERVIEWS OF APPLICANTS FOR POSITION OF SECRETARY AND EXECUTIVE OFFICER

The Board interviewed the following veterinarians at approximately half hour intervals: Dr. R.V. Huston, Faribault - practitioner. Dr. A. J. Eckstein, New Ulm - practitioner. Dr. D. P. Jacobs, Springfield - federal district veterinarian; state district veterinarian effective January 30th, 1984. Dr. D. B. Hicks, Tracy - state district veterinarian. Dr. R. G. Pyle, St. Paul - BAH Division Head and Dr. W. J. Mackey, St. Paul - BAH Assistant Secretary.

Mr. Jon Murphy, Special Assistant Attorney General, was present for the remainder of the Board meeting.

PROPOSED PRV PILOT PROJECT #2

Present for this discussion were Drs. Al Leman and Monte McCaw, College of Veterinary Medicine, and Mr. Mark and Mr. Arno Moening, swine producers. Dr. Leman distributed copies of an outline for a proposed Pilot Project #2, giving as its goal the evaluation of the RIDEA test as a method of finding and eliminating PRV from a herd. Item 2 states that the project will be limited to not more than five veterinary practices in Minnesota, and that each practice could use the test on not more than three herds within their practice. Item 4 provides that positive test results would not result in quarantine. Instead, positive results would result in a letter from the veterinarian to the herd owner that pseudorabies has been identified, and that the owner is ethically and probably legally responsible for not allowing the transport of infected pigs except directly to slaughter.

Dr. Leman briefed the Board on the Pilot Project #1 Workshop that was held in Waseca on January 26th. Mr. Arno Moening stated that he and his son were not speaking as representatives of the Minnesota Pork Producers' Association but were there as individual producers. He said that eradication of PRV is a final goal and the pork industry wants the use of the RIDEA test in attaining this goal. He distributed copies of a resolution that had been adopted by the Minnesota Pork Producers' Association "encouraging the widespread use and availability of the RIDEA test and further demands provisions that allow the RIDEA test to be used without imposition of quarantines."

The legal liability of the Board in allowing the sale and distribution of the test kit and in not establishing quarantines on herds that were determined to be infected by the use of the unofficial RIDEA test was discussed at some length. Mr. Murphy pointed out that the Board has a legal responsibility to quarantine herds when infection is suspected or disclosed.

The Secretary read a portion of a letter that had been received by Dr. Luchsinger from Dr. L. W. Schnurrenberger, Chief Staff Veterinarian, Veterinary Services:

> "The following comment refers to the Minutes of the January 5 Pseudorabies Steering Committee. The possibility of circumventing reporting and quarantine requirements in Project 2, similar to the means used in the Iowa pilot project was discussed. Such circumvention would result in Minnesota failing to comply with 9 CFR 85.7 (b)(4) and would restrict the movement of feeder pigs from the state."

After further discussion, it was decided that Mr. Murphy, Dr. Leman and Dr. Mackey would write a variance clause to be submitted to the Hearing Examiner at the public hearing on February 24th.

APPROVAL OF THE ELISA TEST AS AN OFFICIAL TEST FOR PRV

Dr. Martin Bergeland, Director of the Diagnostic Laboratory, was present for this discussion. The Secretary said that Veterinary Services memorandum 561.33, dated June 28th, 1983 states that the ELISA test is hereby approved by Veterinary Services as an official test for PR cooperative state-federal programs. Dr. Bergeland said that the ELISA test would be used as a screening or presumptive test only. Samples that were negative on the ELISA test would be considered as negative; all samples that were positive on the ELISA test would be retested by the serum-neutralization test. Dr. Bergeland would have complete control over this procedure since the Diagnostic Laboratory

would be the only laboratory in Minnesota that would be utilizing the ELISA test for pseudorabies. Dr. Bergeland said that one of the advantages is that the ELISA test is a six hour test as compared with 48 hours for the S-N test. The ELISA test is just as costly as the S-N test to run since it takes more technician time during the six hours and requires approximately $25,000 in equipment for the test. Dr. Contag moved that the Board approve the ELISA test as an official pseudorabies test. The motion was seconded by Mr. Halvorson - motion carried.

CONDUCTING THE C-F TEST AT THE DIAGNOSTIC LABORATORY

Dr. Bergeland was present for this discussion also. The Secretary said that Commissioner Nichols of the State Department of Agriculture had approached him with a comment from an individual that was in the business of exporting cattle to foreign countries through the Minnesota export station. It was a complaint that when a C-F test was required, the Diagnostic Laboratory was sending the samples to Wisconsin for testing and this involved additional time. The Commissioner asked whether or not arrangements could be made to conduct the test at the DL here in Minnesota. In some cases the CF test is required for brucellosis, vesicular stomatitis or paratuberculosis. Dr. Bergeland said that it would require about $1,000 for equipment and approximately $17,000 for an additional technician. He also explained that the Laboratory must be approved as an official laboratory by having personnel trained at VSL in Ames, Iowa. Dr. Bergeland did say that the DL has requested permission to send someone to VSL for the necessary training. The Secretary asked the Board if they would authorize his working with the Commissioner of Agriculture to see if additional funds could be obtained for the University for this purpose. Although no official action was taken, the Board agreed that it would be all right for the Secretary to cooperate with the Commissioner in this endeavor.

PROPOSED BAH LEGISLATION

The Secretary distributed copies of a proposed bill for an act relating to the Board of Animal Health which had been prepared by Special Assistant Attorney General Jon Murphy. The bill proposes to amend Minnesota Statutes, Section 35.03 Powers, Duties, and Reports and Section 35.05, Authority to State Board. The proposals in 35.03 would give the Board authority to adopt temporary and permanent rules; to apply to the District Courts and other appropriate courts for a temporary restraining order or a temporary or permanent injuction; giving the Board full subpoena power and the authority to inspect livestock

records; and changing the schedule for quarterly meetings. The proposals in 35.05 provide that quarantines shall be at the owner's expense; that the Board may recover from the owner reasonable costs incurred by the Board in maintaining or imposing such a quarantine; and that any person violating any of the provisions of a quarantine imposed under Section 35.05 or 35.063 or any rule relating thereto shall be guilty of a gross misdemeanor.

Mr. Halvorson moved that the Board adopt the proposals for legislation for action during the 1984 legislative session. The motion was seconded by Mr. Delaney - motion carried.

RULE LSB 41 - AUCTION MARKETS AND OTHER SALES: PROPOSAL TO AMEND

At the July 15th, 1983 Board meeting the Board directed Dr. Pyle to submit a proposal for amending Rule LSB 41 which would bring feeder pig street markets under the provisions of that rule. Proposals were submitted to the Board by mail and were considered at the October 10th, 1983 Board meeting. At that meeting Dr. Pyle was instructed to prepare further proposals for consideration at the next regular Board meeting. These proposals were submitted to the Board by mail. The definition of community sales was amended to include street markets of livestock, and street markets were defined to mean places where two or more persons who owned livestock offer such livestock for public sale. The proposal would exempt street markets from the requirements of (d) sales premises and would not require facilities for a veterinarian's office and laboratory nor would there be any requirements for paved sale rings, alleys, testing chutes and pens. After considerable discussion the Board decided to postpone any action on Rule 41 until after the pseudorabies public hearing on February 24th, 1984.

EARTAG REQUIREMENT IN THE PROPOSED PSEUDORABIES RULE

The proposed rule as approved by the Revisor of Statutes for public hearing provides in section H, 1, b. that restricted movement of feeder pigs must be identified at the swine concentration point by a one half inch diameter hole punched in the right ear and an eartag. Since it was originally the intention of the Board that the hole punched in the ear would be in lieu of an eartag and a restricted movement certificate, Mr. Halvorson moved that on page 7 of the proposed rule, that line 16 be amended by placing a period after the word ear and striking the words "and an eartag."

b. would then read as follows: "restricted movement feeder pigs must be identified at the swine concentration point by a one-half inch diameter hole punched in the right ear. They are not eligible for resale through a second swine concentration point." The motion was seconded by Mr. Delaney - motion carried. The Secretary was instructed to present this change to the Hearing Examiner at the public hearing on February 24th, 1984.

AUTHORITY FOR OUT-OF-STATE TRAVEL

The Secretary said that the next meeting of the North Central Regional Animal Health officials would be held in Des Moines on April 10th, 1984 and that arrangements have been made to have the annual meeting of the Livestock Conservation Institute held in the same hotel in Des Moines, Iowa on April 11th and 12th so that individuals could attend both meetings without extra travel expense. The Secretary said that the Board had not been represented at either meeting for the past two years due to the financial situation and the consequent restricted travel, but he felt that the Board should start being represented again. Mr. Neeser moved that the Secretary be authorized to attend the North Central meeting and the Livestock Conservation Institute meeting in Des Moines in April, 1984. The motion was seconded by Mr. Delaney - motion carried.

MEETING WITH THE MINNESOTA PORK PRODUCERS' ASSOCIATION

Mr. Halvorson suggested that the Executive Committee of the Minnesota Pork Producers' Association be invited to meet with the Board on the date that the meeting is continued so that some of the dis-satisfactions that have been expressed by the swine industry with the proposed pseudorabies rule could be discussed prior to the public hearing. The Secretary was directed to arrange such a meeting with Mr. Don Paulson, Executive Director of the Minnesota Pork Producers' Association and invite the associations' executive committee to meet with the Board on Friday, February 3rd, 1984 at the Holiday Inn in New Ulm.

NEXT BOARD MEETING

The next quarterly meeting was scheduled for the regular date of Friday, April 13th, 1984.

Due to the late hour, it was obvious that the Board would not be able to complete its agenda.

The meeting was recessed at 5:50 p.m. to Friday, February 3rd, 1984 at 9:30 a.m. in the Holiday Inn in New Ulm, Minnesota.

CONTINUATION OF RECESSED MEETING FRIDAY, FEBRUARY 3rd, 1984

The continuation of the recessed Board meeting of Friday, January 27th, 1984 was called to order by President Mersch at 9:50 a.m. in the New Ulm Holiday Inn. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson and Mr. K. E. Neeser. Also present was Dr. J. G. Flint, Secretary and Executive Officer.

AUTHORIZATION TO AMEND: RULE LSB 4 IMPORTATION OF HORSES

The Secretary said that he had been appointed to serve on the Minnesota Veterinary Medical Association Ad Hoc Horse Racing Committee. The purpose of this committee is to make recommendations to the Minnesota Horse Racing Commission. Dr. Dean Peterson of the College of Veterinary Medicine had carried out a phone survey to eight states that had horse racing, and six of these states required a 30 day health certificate with a one year EIA test as a requirement for track entry. The Secretary said that rule LSB 4 requires a six month EIA test for entry into Minnesota. He distributed copies of a list showing that Canada, Puerto Rico and 19 states require a six months EIA test prior to entry while 21 states require a 12 month EIA test prior to entry. Some states do not have an EIA test requirement. The Secretary said that the MVMA Committee and the Minnesota Association of Equine Practitioners were recommending that the Board of Animal Health amend rule LSB 4 to require a 12 months EIA test. The Secretary said that he had been asked to appear before the Rules Committee of the Minnesota Horse Racing Commission on Tuesday evening February 7th and he would like to have the Board consider this matter prior to that time. After further discussion, Mr. Halvorson moved that the Secretary be authorized to have amendments to rule LSB 4 Importation of Horses prepared for consideration by the Board at the next quarterly meeting. The motion was seconded by Mr. Delaney - motion carried.

MINNESOTA PORK PRODUCERS' ASSOCIATION

At the January 27th meeting the Secretary was directed to invite the MPPA's Executive Committee to meet with the Board on February 3rd. Representing the Association were Mr. Kent Holden, Mr. Karl Johnson, Mr. George Cay, and Mr. Cliff Bussler. Also present were Dr. R. H. Martens, Chairman of the PRV Advisory Committee, and Dr. W. J.

Mackey, Assistant Secretary. Dr. Mackey summarized the proposed rule for the control of pseudorabies which will be considered at the public hearing on Friday, February 24th, 1984. Mr. Johnson expressed his concern that there be a provision to allow the RIDEA test to be used without placing quarantines, stating that such a variance would probably satisfy the opposition of the pork producers. Mr. Cay said that in his opinion the regulations have exceeded the disease, that there should be more flexibility and that the regulations should be aimed at solving the problem, not just creating regulations. Dr. Mersch explained the liability of the Board in not placing quarantines and explained the procedure that is being followed in attempting to have a variance included in the proposed rule. Dr. Martens said that the traceback provisions in the proposed rule are badly needed. Dr. Mersch said that if the proposed rule passes, the Board will definitely need more personnel and funds to carry out the provisions of the rule and it is extremely important that the MPPA support such requests if they want the rule effectively carried out. Dr. Mackey said that he and Dr. Al Leman and Mr. Jon Murphy would be meeting in the very near future to attempt to draw up a variance clause. The MPPA representatives, Dr. Martens and Dr. Mackey left the meeting at this point.

CONSIDERATION OF APPLICANTS FOR POSITION OF SECRETARY AND EXECUTIVE OFFICER

After considerable discussion regarding this matter, Mr. Neeser moved that the Board not fill the position of Secretary and Executive Officer at this time. The motion was seconded by Mr. Delaney - motion carried.

MEETING WITH LEGISLATORS

Since the majority of the Board members indicated their intention to attend the PRV public hearing that will be held on Friday, February 24th, it was suggested that the Board President try to arrange a meeting with some of the members of the House Appropriations and Senate Finance Committees to discuss a varity of subjects such as the Board's duties and responsibilities, funding and personnel for the proposed PRV control program, and the salary range for the successor to the present Secretary and Executive Officer.

There being no further business to come before the Board, Dr. Contag moved that the meeting be adjourned. The motion was seconded by Mr. Delaney - motion carried. The meeting was adjourned at 2:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, MARCH 9th, 1984

The meeting was called to order by President Mersch at 9:40 a.m. in the New Ulm Holiday Inn. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney and Mr. H. I. Halvorson. Also present were Dr. J. G. Flint, Secretary and Executive Officer and Dr. W. J. Mackey, Assistant Secretary.

SPECIAL MEETING NOTICE

The Secretary said that in order to comply with the requirements of the Open Meeting Law, it is required that notice of the special meeting be given to the public. Since time did not permit the publication of the notice in the State Register, the Special Assistant Attorney General directed the Secretary to post a notice on the outside of the front door of the Board of Animal Health office and also on the bulletin board in the Animal Health office. The notice was posted on Monday morning, March 5th and remained posted until Friday, March 9th.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JANUARY 27th, 1984 AND THE CONTINUATION MEETING OF FRIDAY, FEBRUARY 3rd, 1984

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

AVIAN INFLUENZA OUTBREAK IN PENNSYLVANIA

The Secretary briefly explained the condition as it presently exists in Pennsylvania. The disease has spread into adjacent portions of New Jersey, Maryland and Virginia. All of these areas are presently under Federal quarantine. The Secretary said that 12 states have adopted emergency rules ranging from increased restrictions to outright embargos on poultry and poultry products from these four states. Some veterinary experts associated with large poultry breeding organizations look upon these increased restrictions as "over reaction" and have expressed fears of disastrous affects on an already depressed poultry industry if they were to escalate. The Secretary said that poultry entering Minnesota are covered by permit procedures issued to the out of state unit on an annual basis. Applications for such permits are endorsed by the official state agency of the state of origin.

Dr. H. R. Olson informed the Secretary that current out of state permits issued to

units in the states mentioned have been examined and the origin of possible imports of poultry into Minnesota are not located in these quarantined areas with the exception of two in Virginia. In addition, persons located in Minnesota who have received poultry in the past from permittees located in these states were notified by Dr. Olson very early regarding the AI outbreaks that existed.

Since the affected areas are under strict Federal quarantine, the feeling in most states has been that there is no need at the present time for additional poultry import restrictions. The Secretary said that in his opinion the person who would deliberately ship poultry or poultry products out of a quarantined area in violation of the Federal quarantine would not pay any attention to an embargo anyway. After further discussion, the Board agreed that education was probably more valuable than an embargo. The Secretary said that Dr. Olson was keeping in constant communication with Minnesota Poultry Association officers, University of Minnesota poultry health specialists and the poultry industry veterinarians.

GOVERNOR'S APPOINTMENT BILL: REVISOR'S BILL NO. 84-3488

The Secretary distributed copies of a bill that is proposed by the Governor for the purpose of reducing the number of Governor's appointments to state agencies. The bill proposes changes in the procedure for appointing members to 14 agencies. Section 6 amends Minnesota Statutes 1982, Section 35.02, Subdivision 1, transferring authority for appointing Board members to the Animal Health Board from the Governor to the Commissioner of the State Department of Agriculture.

PSEUDORABIES PUBLIC HEARING FEBRUARY 29th, 1984

The Hearing Examiner extended the date for keeping the record open until March 12th, 1984. The agency has an additional three days to submit written comments. The Hearing Examiner informed the Secretary that he would like to have the Board communicate to him in writing any changes which the Board wishes to make in the proposed rule or any other reactions to the public comment at the Public Hearing.

The Board agreed that if it becomes necessary to issue a restricted movement document that it be an original and two copies. The original would go to the buyer, the seller would retain one copy and the second copy would be sent to the Board of Animal Health.

The Board also recommended that if the animals are to be identified by an eartag, the tag should be of a distinctive color, either red or yellow.

The Board directed the Secretary to write to the Hearing Examiner stating that the Board advocated the ear punch for the purpose of simplifying and eliminating the paper work problem, and is still of that opinion. There is the possibility that the people at the Hearing may have understood that no identification of restricted movement swine would be necessary if the ear punch were deleted from the proposed rule, since the Board had previously recommended that the requirement for the eartag be deleted. It was clearly the Board's intention that either the eartag or the ear punch be required. If because of oral testimony presented at the Hearing, the Hearing Examiner feels that the ear punch requirement should be deleted, the Board would approve the eartag and restricted movement document in lieu of the ear punch.

VARIANCE CLAUSE The Hearing Examiner had indicated that if a variance clause were to be included in the proposed rule, criteria for granting a variance would have to be outlined. Dr. Mackey distributed copies of the proposed variance clause and the criteria for granting such variance. Mr. Halvorson moved that the Board adopt and recommend the proposed variance clause and the criteria for granting such variance. The motion was seconded by Mr. Delaney - motion carried.

PROPOSED PRV BUDGET The Board discussed the matter of the legislative proposal to establish a 10¢ per head mandatory check-off for market swine sold in Minnesota, such funds to be used for the pseudorabies control and/or eradication program. It appears that such legislation will not pass due to the extreme oppostion expressed by members of the Minnesota Pork Producers' Association and other individuals. Dr. Mackey distributed copies of an estimated annual cost for implementing the proposed rules in the amount of $131,690. He met with Representative Schoenfeld and Senator Davis in the hopes that they will introduce a bill funding the Board of Animal Health in this amount for the proposed pseudorabies control program. He also distributed copies of an estimate of the annual cost for infected herd cleanup which comes to approximately $2250 per herd for four tests. This is based on an estimate of an average size breeding herd of 125 head, bleeding costs of $2.50 per head and laboratory fee of $2.00 per sample.

PROPOSED AMENDMENTS Mr. Mark Moenning, Dodge Center, Minnesota, submitted amendments at the hearing for ten line items, an amendment outlining no restrictions on the use of vaccines and an amendment covering the granting of variances to this rule. All of the proposed amendments were considered by the Board but none were approved or recommended by the Board. There are presently no restrictions on the use of pseudorabies vaccine in Minnesota, a variance clause has already been submitted and recommended by the Board to the Hearing Examiner, and legislation is being proposed that would authorize a variance.

MR. LARS JOHANSSON, GHENT, MINNESOTA SUBMITTED FOUR RECOMMENDATIONS FOR AMENDMENTS TO THE RULES These were considered by the Board but none of them were adopted nor recommended.

BOARD OF ANIMAL HEALTH NEWSLETTER

The Secretary said that he had received a complaint from a very irate veterinarian regarding an article in the March 1984 issue of the BAH Newsletter in which there were selected quotes on Animal Welfare. The Secretary said that in previous years the Newsletter was limited almost entirely to informative items from the Board of Animal Health. In order to create more interest in the Newsletter and possibly improve readership, the Editor, Dr. W. J. Mackey, had started including items such as quotes from other publications, some humor and other items that might be of general interest to practicing veterinarians. After some discussion the Board saw no reason to change the present policy.

Dr. W. J. Mackey excused himself from the meeting at this point.

SUCCESSOR TO SECRETARY AND EXECUTIVE OFFICER

Since the Board was unable to agree on any of the six applicants for the position of Secretary and Executive Officer, although none of the applicants were approved or rejected, the Board agreed to reopen the search for an Executive Secretary. President Mersch agreed to write a letter to all accredited veterinarians in Minnesota encouraging interested veterinarians to either apply for the position or to recommend individuals for the position. Applications will be accepted through May 15th, 1984. The Secretary was directed to prepare the letter for mailing as soon as possible after the Board meeting.

NEXT BOARD MEETING

The next Board meeting was scheduled for the regular date Friday, April 13th, 1984.

There being no further business to come before the Board, Mr. Halvorson moved that the meeting be adjourned. The motion was seconded by Dr. Contag - motion carried.

The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Secretary

MINUTES OF QUARTERLY BOARD MEETING OF FRIDAY, APRIL 13, 1984

The meeting was called to order by President Mersch at 9:55 a.m. Present were Dr. R. L. Mersch, Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

MINUTES OF SPECIAL BOARD MEETING OF FRIDAY, MARCH 9th, 1984

Copies of the Minutes had been mailed to all Board members by the Secretary. President Mersch asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

LEGAL LIABILITY OF BOARD MEMBERS AND EMPLOYEES

Mr. Murphy introduced Mr. David McKenna, Tort Claims Division, Attorney General's office. Mr. McKenna said that the State of Minnesota did away with sovereign immunity in 1976. Tort claims are now handled in accordance with Minnesota Statutes 1982, Chapter 3, Section 3.736. He said that it was the intention of the Legislature to provide protection for employees and other persons who assist the State with or without compensation. Board members are included in the definition of an employee of the State in Section 3.732, Sub-division 1, (2):--"or persons acting on behalf of the State in an official capacity, temporarily or permanently, with or without compensation." Employees are covered if the employee was acting within the scope of his employment as provided in Section 3.736, Sub-division 9. Mr. McKenna said that in his opinion the Board members and the Board employees need have no reason to be concerned about personal liability or loss of personal property or effects due to any suits that might arise. He said that the law recognizes that government is unique in some respects - protection of the public as a whole being one of its responsibilities.

PROPOSED LEGISLATION - BOARD POWERS AND AUTHORITY

At the Board meeting of January 27th, 1984 Mr. Murphy had distributed copies of a proposed bill for an act relating to the Board of Animal Health. This proposed legislation would amend powers and authority of the Board. The Secretary said that due to the short 1984 legislative session, he was unable to find an author that was willing to introduce the bill on such short notice and time did not permit the bill being introduced as a department bill. Representative Doug Carlson had recommended that the matter be held over until the 1985 legislature when there would be more time to adequately consider the proposal. There being no objections, the Secretary said that he would make the necessary arrangements to have the proposed legislation handled at the 1985 legislature.

AUTHORIZATION TO AMEND RULE LSB 4 IMPORTATION OF HORSES, MULES AND ASSES

At the January 27, 1984 Board meeting the Board authorized the preparation of amendments to this rule. Copies of the proposed amendments were mailed to all Board members by Dr. Pyle on April 2nd, 1984. Dr. Pyle briefly summarized the two changes. One provides that the requirement for an EIA test be amended from six (6) months prior to date of importation to 12 months; the other provides that the Board may issue a permit for the importation of horses prior to the final laboratory determination of the results of the test if a blood sample has been drawn and submitted to an approved laboratory. After further consideration and discussion, Mr. Neeser moved that the proposed amendments to LSB 4 Importation of horses, mules and asses be approved by the Board and that the following resolution be adopted by the Board:

> "RESOLVED, that Dr. J. G. Flint, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directed to sign an Order of the Board directing that notice be given of the Board's intent to adopt without a public hearing, rules governing LSB 4 Importation of horses, mules and asses, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby

is granted the authority and directed to call a hearing for the purpose of promulgating said rules, as well as perform any and all acts incidental thereto, including, but without being limited to, signing an Order for Hearing and Notice of Hearing, as well as acting as the Board's representative at all hearings."

The motion was seconded by Dr. Contag - motion carried.

RESOLUTION AND PETITION: SALE OF SLAUGHTER CATTLE AT LIVESTOCK AUCTION MARKETS

The Secretary said that at the February 1984 meeting of the Minnesota Veterinary Medical Association, Dr. R. P. Fistler of Perham had complained that dealers were buying backtagged cattle and disposing of them other than to slaughter. The Secretary said that he told Dr. Fistler that if he put this complaint in writing in a letter to the Board, he would put it on the agenda for the next meeting. Instead, Dr. Fistler prepared a resolution and petition and obtained the signatures of nine veterinarians requesting that all slaughter cattle be brucellosis tested or branded with an "S" hot iron on the right jaw before being released from the livestock auction market. Dr. Pyle said that at one time slaughter affidavits were required on all slaughter cattle but that these had been discontinued in order to promote the use of the backtag. He said that in his opinion the number of violations were very minimal, and he questioned the value of replacing the backtag with a brucellosis test or a hot brand. The Board took no action but noted that some markets are now identifying PIK cattle on their own to assure that they go to slaughter. The Secretary was directed to write to Dr. Fistler outlining this procedure that is open to any and all markets.

AUTHORIZATION TO AMEND RULE LSB 41 - AUCTION MARKETS AND OTHER SALES

Authorization to prepare amendments which would place street sales in Rule 41 along with other markets was given at the July 1983 Board meeting. Copies of the proposed amendments were sent to all Board members by Dr. Pyle on September 26th, 1983. At the October 1983 meeting Dr. Pyle was instructed to prepare further proposals providing for the

identification of restricted feeder pigs by a round hole punched in the ear. At the January 1984 meeting the Board decided to postpone the action on Rule 41 until after the pseudorabies public hearing on February 24th, 1984. After further consideration Mr. Neeser moved that the proposal to amend LSB 41 be tabled until such time as action has been taken on the proposed pseudorabies rule. The motion was seconded by Mr. Halvorson - motion carried.

PROPOSED RULE 3 MCAR § 2.026 PSEUDORABIES CONTROL

Copies of the Report of the Chief Hearing Examiner were distributed to all Board members. The Secretary said that time did not permit mailing the report to the Board members since the Report was not dated until April 10th. Dr. Mackey said that there were no substantive changes in the Report although there were numerous technical and language changes. The final recommendation of the Hearing Examiner was that the proposed rule be adopted except where specifically otherwise noted.

Dr. Mackey said that he and Mr. Murphy would make the necessary changes in the rule, indicating deletions by strikeouts and additions by underlining and send the revised copy to all Board members as soon as it has been prepared.

Mr. Halvorson said that education of the swine producers regarding pseudorabies was sorely needed. The Board suggested that material be sent out through the Extension Veterinarians to County Agents and it was strongly suggested that a one page fact sheet on vaccination be prepared for distribution to swine producers.

The Secretary said that the proposed market check-off was rejected by the Minnesota Pork Producers' Association and that it would be necessary for him to submit a request for funds to the June meeting of the LAC (Legislative Advisory Committee). He also pointed out that there is now a federal district veterinarian vacancy and that there will be another one by the middle of June. Both of these are in the southern section of Minnesota and it will be almost impossible to carry

out any kind of a program for pseudorabies control with these two vacancies unfilled. He discussed the matter with Dr. Atwell of APHIS at the LCI meeting in Des Moines on April 10th and he had not been given any assurance that these two vacancies would be filled by federal district veterinarians. After further consideration the Secretary was directed to submit two separate requests to the June session of the LAC: One request for $131,690 to cover the estimated annual cost of implementing the proposed pseudorabies control rule; the second requesting increased complement of one and the necessary funds to replace one of the vacancies with a state district veterinarian.

The Secretary was also instructed to send copies of the LAC requests to the Representatives and Senators that were involved in the pseudorabies law and rule.

Mr. Halvorson said that he would like the Board to consider an amendment to the proposed pseudorabies rule. Since there seemed to be such a difference of opinion as to whether feeder pigs should be identified by an eartag or an ear-punch, he suggested that the rule provide for the identification of restricted movement pigs by either an eartag or an ear-punch or a combination of both at the discretion of the individual that was identifying the pigs. If eartags only were used, it would be necessary that a restricted movement document be issued to the purchaser; a restricted movement document would not be required where the pigs were identified by an ear-punch. This would take care of the objections that were raised at the public hearing to ear-punching pigs that were being purchased for export to other states. After considerable discussion, Mr. Halvorson moved that proposed rule 3 MCAR § 2.026 Control of pseudorabies be amended to provide that restricted movement swine be identified by either an eartag or an ear-punch or a combination of both, the choice to be made by the person identifying the pigs. The motion was seconded by Mr. Neeser - motion carried.

LETTER TO FAIR BOARDS REGARDING PRV TEST REQUIREMENT FOR EXHIBITION

Copies of a proposed letter written by Dr. Keller were distributed to all Board members. This letter indicates that the new rule may be in effect sometime after July 1, 1984. It calls attention to the provision that all swine must be negative to a pseudorabies test within 30 days prior to the opening date of the exhibition except for swine directly from a Qualified Pseudorabies Negative herd or slaughter classes kept strictly isolated from all other livestock at the exhibition. The letter will have to be revised since Dr. Keller had assumed that the rule would be adopted by the Board on April 13th. After further discussion, the Board directed that the letter be revised, that it be sent to the fair official veterinarians (where known at this time) as well as to county fair secretaries and county extension directors and further that the information be published in the next Newsletter.

A SUCCESSOR TO THE SECRETARY AND EXECUTIVE OFFICER

In accordance with the directive of the Board at the Special Board meeting of March 9th, 1984 the Secretary said that 1287 letters were sent to accredited veterinarians in Minnesota, including 125 to veterinarians at the College of Veterinary Medicine, all of which may not be accredited. The letter stated that applications would be accepted through May 15th, 1984. The Secretary said that to date he had received applications from six veterinarians and had received several telephone calls from veterinarians who indicated that they would be sending in applications.

ELECTION OF OFFICERS

Mr. Halvorson moved that the present slate of officers, Dr. Mersch, President, Dr. Contag, Vice President and Dr. Flint, Secretary and Executive Officer be re-elected to office for the year starting July 1st, 1984. The motion was seconded by Mr. Neeser - motion carried.

The Secretary and Executive Officer is presently at the annual maximum of range 18, with a salary of $44,892 per year. Effective July 1, 1984 this position would be eligible for a 4.5 per cent increase with a maximum of $46,917. Mr. Delaney moved that the Secretary and Executive Officer's salary for the year starting July 1, 1984 be set at $46,917. The motion was seconded by Dr. Contag - motion carried.

It will be necessary that the Board President carry out the Annual Performance Evaluation for the Secretary and Executive Officer prior to June 10th, 1984.

SPECIAL BOARD MEETING

A Special Board meeting was scheduled for Friday, June 1st, 1984 at the Holiday Inn in New Ulm. The purpose of the Special Board meeting will be to consider adoption of the proposed rule 3 MCAR § 2.026 Control of pseudorabies and to interview applicants for the position of Secretary and Executive Officer.

If time does not permit the interviews to be completed on that date, the Special meeting will be continued to Friday, June 8th, 1984 in the office of the Board in St. Paul.

NEXT REGULAR MEETING

Due to the fact that the Annual AVMA meeting will be held in New Orleans starting July 16th, Dr. Mersch requested that the date of the regular Board meeting scheduled for Friday, July 13th be advanced to Friday, July 6th. The next regular quarterly meeting of the Board was scheduled for Friday, July 6th, 1984.

The Secretary said that he would have the notices of the Special Board meeting and the advanced date of the July meeting published in the State Register in accordance with the provisions of the Open Meeting Law.

There being no further business to come before the Board, Mr. Halvorson moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 4:00 p.m.

Respectfully submitted

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, JUNE 1st, 1984

The meeting was called to order by Vice-president Contag at 9:35 a.m. in the New Ulm Holiday Inn. Present were Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Secretary and Executive Officer, Dr. W. J. Mackey, Assistant Secretary and Mr. Jon Murphy, Special Assistant Attorney General.

SPECIAL MEETING NOTICE

The Secretary said that in order to comply with the requirements of the Open Meeting Law, notice of the special meeting was published in the State Register, Monday, April 30th, 1984, pages 2336 - 2337.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 13th, 1984

Copies of the Minutes had been mailed to all Board members by the Secretary. Vice-president Contag asked if there were any additions or corrections to the Minutes. There being none, he declared the Minutes approved as mailed to the Board members by the Secretary.

ELECTION OF OFFICERS

Dr. R. L. Mersch's term expired in January, 1984. Dr. Sharon I. Hurley of New Ulm was appointed to fill the vacancy effective May 3rd, 1984. Since Dr. Mersch had been re-elected as President of the Board at the April 13th, 1984 meeting, the Secretary said that the Board might wish to consider having an election of officers at this meeting. Mr. Halvorson moved that Dr. Contag be elected President and that Mr. Neeser be elected Vice-president. The motion was seconded by Mr. Delaney - motion carried.

LETTER TO DR. R. L. MERSCH

The Board members and the Secretary signed a letter of appreciation to Dr. Mersch, thanking him for his services for nine years as a member of the Board, six of those years having been served as President of the Board.

PROPOSED RULE 3 MCAR § 2.026 PSEUDORABIES CONTROL

Copies of the proposed rule as amended by the Report of the Chief Hearing Examiner were mailed to all Board members on May 14th, 1984. Deletions

were indicated by strikeouts and additions were indicated by underlining. Dr. Mackey went through the changes briefly, and the Board had only one suggestion for a change. On page 7 of the proposed rule, Section g provides that "all swine which are maintained in contact with restricted movement breeding swine in the herd of destination are also restricted movement swine and must be handled accordingly." Mr. Neeser moved that on line 28, a period be inserted after the word "swine", and that on lines 28 and 29 the words "and must be handled accordingly" be deleted. The motion was seconded by Dr. Hurley - motion carried. This change was made because other portions of the rule provide for the handling of restricted movement swine.

All Board members had received a letter dated May 24th, 1984 from Mr. Warren N. Sifferath, Dakota County Extension Agent. This letter pointed out that the Dakota county fair has two swine shows, open and 4-H, both terminal market classes; however, they do not have a separate building or show ring at the county fair. Due to the cost of testing for pseudorabies, Mr. Sifferath states that the proposed rule will likely eliminate the 4-H market swine since they do not have the buildings to provide isolation of untested swine. Mr. Sifferath's recommendation was that the rule be made effective October 1st, 1984.

A suggestion had been made that a temporary partition be built to divide the untested swine from other livestock in the same building. The Secretary said that both he and Dr. Keller were opposed to this procedure since the interpretation of a partition would vary widely in the 87 counties and would be an impossibility to enforce.

The Secretary was directed to write to Mr. Sifferath outlining the fact that his letter and the proposals for a temporary partition in the barn had been considered by the Board at the meeting of June 1st. Since this rule had been in the process of preparation for nearly two and a half years, the Board did not feel that it could justifiably delay the adoption

of this rule any further. Counsel stated that the Board could not adopt the rule and delay the effective date of the exhibition provisions.

Dr. Mackey explained that the Board could only approve the proposed rule at this point, and that it could not be adopted until such time as the Chief Hearing Examiner had approved the amended copy of the proposed rule. He was in the hopes that the Hearing Examiner's approval could be obtained prior to the date of the next Board meeting scheduled for June 8th, 1984. After further discussion, Mr. Halvorson moved that the Board approve the proposed rule as submitted to the Board by mail on May 14th, 1984, including the amendment made by the Board at this meeting. The motion was seconded by Dr. Hurley - motion carried.

SWINE PRODUCERS MEETING - MANKATO: PSEUDORABIES

Mr. Delaney said that there was to be a meeting of swine producers in Mankato on June 18th to discuss the subject of pseudorabies. Dr. Mackey said that the meeting had been organized by Mr. Lars Johannsson for the purpose of trying to obtain funds from the State and Federal governments for the purpose of assisting the swine producers who are under quarantine for pseudorabies. He said that he and the Secretary had been invited and planned to attend. Mr. Delaney said that he also would attend and it was suggested that other Board members might want to attend if they had the time.

INTERVIEWS FOR POSITION OF SECRETARY AND EXECUTIVE OFFICER

Starting at 11:00 a.m., the following individuals were interviewed:

Dr. Duane Jacobs
St. Paul, Minnesota

Dr. A. J. Eckstein
New Ulm, Minnesota

Dr. R. V. Huston
Faribault, Minnesota

Dr. C. F. Kubesh
Litchfield, Minnesota

Dr. D. L. Haggard
St. Paul, Minnesota

Dr. G. B. Gibbons
Plymouth, Minnesota

Dr. T. J. Hagerty
St. Michael, Minnesota

Dr. D. A. Gilgenbach
Elk River, Minnesota

There being no further business to come before the Board, Mr. Neeser moved that the meeting be recessed to Friday, June 8th in the office of the Board in St. Paul. The motion was seconded by Dr. Hurley - motion carried. The meeting was recessed at 5:00 p.m.

MINUTES OF THE MEETING OF FRIDAY, JUNE 8th: CONTINUATION OF RECESSED MEETING OF FRIDAY, JUNE 1st, 1984

The continuation of the recessed Board meeting of Friday, June 1st, 1984 was called to order by President Contag at 9:35 a.m. Present were Dr. C. H. Contag, Mr. K. E. Neeser, Mr. J. G. Delaney, Mr. H. I. Halvorson and Dr. S. I. Hurley. Also present was Dr. J. G. Flint, Secretary and Executive Officer.

INTERVIEWS FOR POSITION OF SECRETARY AND EXECUTIVE OFFICER

The following individuals were interviewed:

Dr. M. M. Hagberg
Fort Sam Houston, Texas

Dr. K. K. Kane
Minneapolis, Minnesota

Dr. R. C. Bender
Spring Grove, Minnesota

Dr. A. E. Ecklund
Askov, Minnesota

Dr. W. J. Mackey
St. Paul, Minnesota

MR. W. N. SIFFERATH, DAKOTA COUNTY AGENT: REGARDING SWINE EXHIBITION REQUIREMENTS IN THE PROPOSED PRV RULE

Mr. Sifferath was accompanied by Mr. Henry Fox, Swine Superintendent and Fair Board member from Dakota county. Also present for this discussion were Dr. W. J. Mackey, Dr. G. E. Keller and Mr. Jon Murphy, Special Assistant Attorney General. Mr. Sifferath explained that their fair

would have a problem in meeting the new rules for swine market classes. The fair had been set up and the requirements printed in the premium books before the notice of change was received from the Board of Animal Health. Mr. Sifferath said that they definitely needed more time to adjust to the changes and that the period from May to July was just simply not enough. After considerable discussion involving possibly alternatives, enforcement of the new rules and other related items, Mr. Sifferath and Mr. Fox thanked the Board for their time and left the meeting. Mr. Halvorson moved that the Secretary be directed to send out a letter to all County Agents, Fair Secretaries and Official Veterinarians informing them that the proposed rule for the control of pseudorabies was adopted at the Board meeting on Friday, June 8th, 1984 and will become effective about July 15th, 1984 and further that the provisions relating to the exhibition of swine will be strictly enforced. In addition the Secretary is directed to send out a special mailing to all accredited veterinarians giving them the same information. The motion was seconded by Mr. Delaney - motion carried.

ADOPTION OF 3 MCAR § 2.026 CONTROL OF PSEUDORABIES

Dr. Mackey presented the proposed rule which had been approved by the Board at the meeting of June 1st, 1984. Mr. Neeser moved that the following resolution be adopted by the Board:

> "RESOLVED, that the rules relating to 3 MCAR § 2.026 Control of Pseudorabies be and they hereby are approved and adopted, pursuant to authority vested in us by M.S. Section 35.03 and that Dr. C. H. Contag, President of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of Law."

The motion was seconded by Mr. Halvorson - motion carried.

SELECTION OF A CANDIDATE FOR THE POSITION OF SECRETARY AND EXECUTIVE OFFICER

Considerable time was spent discussing the applicants, eventually narrowing the field to two individuals. Further discussion centered on these two veterinarians. At the close of the discussion, Mr. Neeser moved that Dr. T. J. Hagerty of St. Michael, Minnesota be offered the position and asked

to appear at the July 6th Board meeting for the purpose of acceptance. The motion was seconded by Mr. Delaney - motion carried.

The Secretary was directed to call Dr. Hagerty and confirm that he was still interested in the position. This was done and Dr. Hagerty confirmed his interest in the position by phone to both Dr. Contag and the Secretary.

NEXT BOARD MEETING

The next quarterly meeting of the Board was scheduled for Friday, July 6th, 1984. Since this date was changed at a previous Board meeting from the regular date of July 13th to July 6th, in order to meet the requirements of the Open Meeting Law, notice of the change was published in the State Register on Monday, April 30th, 1984 on page 2336.

There being no further business to come before the Board, Mr. Halvorson moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JULY 6TH, 1984

The meeting was called to order by President Contag at 9:40 a.m. Present were Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley and Mr. K. E. Neeser. Also present was Dr. J. G. Flint, Secretary and Executive Officer.

CHANGED MEETING NOTICE

At the meeting of April 13th, 1984, the Board directed that the date of the regular Board meeting scheduled for Friday, July 13th be advanced to Friday, July 6th. In order to comply with the requirements of the Open Meeting Law, notice of the change of the date was published in the State Register on Monday, April 30th, 1984 on page 2336.

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, JUNE 1, 1984 (RECESSED TO FRIDAY, JUNE 8TH, 1984)

Copies of the Minutes had been mailed to all Board members by the Secretary. President Contag asked if there were any additions or corrections to the Minutes. Dr. Contag said that there was an error in the last paragraph on page 93. The word interviewes should be corrected to interviewed. There being no further additions or corrections, he declared the Minutes approved as mailed to the Board members by the Secretary.

TITLE CHANGE OF SECRETARY AND EXECUTIVE SECRETARY

The Secretary said that the Department of Employee Relations had requested that the title of the Secretary and Executive Officer be changed to either Executive Officer or Executive Secretary. Evidently the new computer system will not accept such a lengthy title. Section 35.02 of the Minnesota Statutes provides that the Board shall elect a veterinarian licensed in Minnesota, not a member, to be its Secretary and Executive Officer. Mr. Delaney moved that the title of the Secretary and Executive Officer be changed to Executive Secretary. The motion was seconded by Dr. Hurley - motion carried.

APPOINTMENT OF DR. T. J. HAGERTY

At the June 8th, 1984 meeting Dr. T. J. Hagerty was selected to fill the vacancy which will be created by the retirement of the present Secretary. Dr. Hagerty appeared before the Board at this time re-affirming his interest in the position. There was considerable discussion regarding his training, including the starting date, starting salary and length of the training period, and the date and starting salary for appointment as Executive Secretary.

The question arose as to when Dr. Hagerty would be eligible for a salary increase if he were appointed on January 1st, 1985. The Secretary left the conference room and called Mr. Jim Lee, Manager of the Compensation Division of the Department of Employee Relations. Mr. Lee said that non-managers are eligible for a salary increase every 12 months. Managers are eligible on a statewide basis for an increase on July 1st. Dr. Hagerty would be eligible for an increase in salary on July 1, 1985, depending upon the results of the performance evaluation. The managerial plan provides that salary increases are dependent upon performance rating as follows:

Performance Rating	July 1, 1984
Unsatisfactory	0%
Adequate or satisfactory	0 - 9%
Outstanding or superior	4 - 13%

Mr. Neeser moved that Dr. T. J. Hagerty be employed as a Senior Veterinarian for a training period starting Wednesday, October 3rd, 1984 at Step 5 of the salary range for a Senior Veterinarian, $36,561, and further that Dr. Hagerty be appointed as Executive Secretary effective January 1st, 1985 at Step 8 of the managerial salary plan for that position, $45,268. The motion was seconded by Mr. Delaney - motion carried.

(Dr. W. J. Mackey, Assistant Secretary, came into the meeting at this point and was present for the remainder of the meeting)

3 MCAR § 2.015 CONTROL OF BOVINE PARATUBERCULOSIS IN MINNESOTA: PROPOSAL TO AMEND

Dr. G. E. Keller and Dr. David M. Sherman were present for this item. Dr. Keller said that in his opinion it was urgent that this rule be amended in accordance with the present knowledge of the disease. Dr. Sherman is on the faculty of the College of Veterinary Medicine at the University of Minnesota, has his Masters on the diagnosis of Johne's disease and works with the Wisconsin Department of Agriculture on their Johne's disease program. Dr. Sherman gave a brief background on Johne's disease and some of the items that he discussed were as follows: The fecal culture is the best test but has the drawback of 8 to 12 weeks or more for culture positives; paratuberculosis is shaping up as the cattle disease of the 1980s; estimated loss of 52 million dollars per year in Wisconsin's dairy industry alone; of 44,000 dairy herds in Wisconsin, there are 1320 known positive herds (3 per cent); Dr. Keller said that Minnesota has only 24 known infected herds under quarantine; a survey of 1000 cows in slaughter plants in Wisconsin showed an 11 per cent infection rate in apparently normal cattle; a survey in New England states showed an infection rate of 18 per cent; Dr. Sherman said that he would personally not object to a quarantine if some other options were also available to the herd owner; Dr. Sherman distributed copies of Wisconsin's Guidelines of Johne's Disease Eradication and Wisconsin's Johne's Disease Control Fact Sheet.

After further discussion Mr. Neeser moved that the Board authorize the preparation of amendments to 3 MCAR § 2.015 to be considered by the Board at a future meeting. The motion was seconded by Dr. Hurley - motion carried. Dr. Sherman said that he would be willing to work with Dr. Keller in preparing these amendments.

RULE LSB 4 IMPORTATION OF HORSES: PROGRESS REPORT

Dr. R. G. Pyle briefly summarized the changes in the rule which were a change in the requirement for a 6 month EIA test to 12 months, and the inclusion of a permit for the importation of horses pending the EIA test

results. He said that the proposed rule had been published in the State Register on June 11th, 1984 and that there were no replies nor objections to the proposed rule. A period of 30 days after publication is required before the rule can be adopted. The amended rule will be presented to the Board for adoption at the next Board meeting.

RULE LSB 41 SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY AND OTHER SALES: AUTHORIZATION TO AMEND

Copies of the proposed amended rule had been mailed to all Board members on June 27th, 1984. Dr. Pyle said that the main changes are that street sales are included in the rule and the pseudorabies test requirements for swine have been incorporated. Dr. Pyle went through the amendments and the following changes were made by the Board:

1. (a)(6) leave in "or is positive to the brucellosis card test" and add "if it is the only test performed."

2. (d) in the definition of Sales Premises, amend to exclude single sales where special permits are issued.

3. (d)(1) line 3: change shall to will.

4, (g)(1)(bb) excluding only calves under six months of age from the brucellosis test requirement may conflict with the brucellosis sale law which exempts beef calves under 8 months of age. Dr. Pyle was directed to discuss this item with the Special Assistant Attorney General.

5. Sale of sheep: This item was deleted since there are no test requirements. After some discussion Dr. Pyle was directed to insert (h) sale of sheep and goats: No test requirements.

6. (h)(1) delete the terminology "6 months of age and over" following breeding swine.

The Board directed that the Public Hearing for this rule be held at the Holiday Inn North in Mankato on a Friday and preferably from the middle to the end of September, depending upon the availability of a hearing date from the Hearing Examiner. Dr. Hurley moved that the proposed amendments to Rule 41, as re-amended by the Board, be approved and that the following resolution be adopted by the Board:

"RESOLVED, that Dr. J. G. Flint, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board governing LSB 41 Sale of Livestock at Auction Markets, Consignment, Community and other Sales as well as perform any and all acts incidental thereto, including but without being limited to signing an Order of Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

The motion was seconded by Mr. Delaney - motion carried.

3 MCAR § 2.026 PSEUDORABIES CONTROL: PROGRESS REPORT

The Secretary said that Mr. Jon Murphy, Special Assistant Attorney General had notified him this date that the Attorney General's office had approved the proposed rule. Dr. Mackey said that the rule now goes to the State Register for publication and will be effective five days after the publication date. The estimated effective date is now shortly before August 1st. Dr. Mackey distributed copies of a proposed News Release announcing the effective date of the new pseudorabies control rule to be on or about July 15th, 1984, a copy of an article in the Farmer Magazine of June 16th, 1984 announcing the new PRV rule, and a copy of the new proposed Restricted Movement Certificate.

Dr. Mackey also discussed briefly the meeting of the Class Action Committee that was held at the Holiday Inn North in Mankato on June 18th. Mr. Delaney, Mr. Halvorson, Dr. Flint and Dr. Mackey attended that meeting. The Committee is chaired by Mr. Lars Johannson who is attempting to gain financial remuneration from either the state or federal governments for losses he suffered due to pseudorabies disease in his herd of swine. The meeting was also attended by other swine producers in Minnesota who have been or are presently under quarantine for pseudorabies, several members of the Legislature and two Administrative Assistants representing Congressional districts.

Dr. Mackey said that he had recently been contacted by Senator E. W. Renneke of Le Sueur, who had attended the meeting, regarding holding another meeting with a few individuals to discuss the matter further.

LAC REQUEST

The Secretary said that the Board's request of May 17th, 1984 to the Legislative Advisory Commission for an amount of $131,720 to carry out the pseudorabies control program was honored by the Commission in the amount of $20,000 for salary and $40,000 for supplies and expense. The Secretary said that this amount will at least enable the Board to start on the program and will cover such items as mailing of notices and printing and mailing of restricted movement certificates.

DISTRIBUTION OF ANNUAL REPORT

The Secretary said that ordinarily about 250 copies of the Annual Report were printed and distributed to various interested individuals. The suggestion had been made that a copy of the Annual Report also be distributed to each Legislator. The Secretary was directed to carry out this procedure.

1984 USAHA MEETING

The Secretary said that the annual meeting of the USAHA would be held in Fort Worth, Texas on October 21 - 26, 1984. He requested authorization to attend that meeting and also recommended that one of the Board members be authorized to attend. After considerable further discussion, Mr. Halvorson moved that President Contag, Vice-president Neeser, the Secretary and Dr. T. J. Hagerty be authorized to attend the October meeting of the USAHA meeting in Fort Worth, Texas at state expense. The motion was seconded by Mr. Delaney - motion carried.

NEXT BOARD MEETING

The next regular meeting of the Board was scheduled for Friday, October 12th, 1984; however, Mr. Halvorson recommended that a special Board meeting be held on the same date as the public hearing to amend Rule LSB 41. If this is held in late September, the October 12th meeting can be rescheduled for a later date, depending upon the amount of business to be considered by the Board at that time.

There being no further business to come before the Board, Mr. Halvorson moved that the meeting be adjourned. The motion was seconded by Dr. Hurley - motion carried. The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, OCTOBER 12, 1984

The meeting was called to order by President Contag at 1:45 p.m. in the Holiday Inn North, Mankato following the public hearing that was held to consider amendments to 1715.0200 through 1715.0580 The sale of livestock at auction markets, consignment, community and other sales. Present were Dr. C. H. Contag, Dr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Executive Secretary, Dr. W. J. Mackey, Assistant Secretary, Dr. T. J. Hagerty, Dr. R. G. Pyle and Mr. Jon Murphy, Special Assistant Attorney General.

CHANGED MEETING NOTICE

Since M.S. Chapter 35 provides that the quarterly Board meetings shall be held at the seat of government, the Secretary said that notice of the change of location of the October 12th, 1984 meeting had been published in the State Register, Volume 9, Number 11, September 10, 1984 on page 555.

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JULY 6th, 1984

Copies of the Minutes had been mailed to all Board members by the Secretary. President Contag asked if there were any additions or corrections to the Minutes. Mr. Neeser moved that the Minutes be approved as mailed to the Board members by the Secretary. The motion was seconded by Dr. Hurley - motion carried.

ADOPTION OF PARTS 17.2300 TO 17.2400 RELATING TO IMPORTATION OF HORSES

The Secretary said that proper notice had been given of the Board's intent to adopt without a hearing amendments to Parts 17.2300 to 17.2400 Importation of horses, that notices had been sent to all individuals that filed their names with the Board to receive such notices, and that the proposed rules had been published in the State Register, Volume 8, Number 50, June 11th, 1984 pages 2646 and 2647. Dr. Pyle said that no comments had been received from the public. He went through the rule and briefly summarized the amendments, which changed the requirement for an EIA test from six months to 12 months and provided for a permit to be issued to horses pending the results of the EIA test conducted in the state of origin. Mr. Halvorson moved that the following resolution be adopted by the Board:

RESOLVED, that the rules relating to Importation of horses, Parts 17.2300 to 17.2400 be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 35.03 and that Dr. J. G. Flint, Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law.

The motion was seconded by Mr. Delaney - motion carried.

FEASIBILITY STUDY: BOARD OF ANIMAL HEALTH AND MINNESOTA DEPARTMENT OF AGRICULTURE MERGER

Copies of all material relating to the feasibility study on merging the Board of Animal Health with the Minnesota Department of Agriculture had been mailed to all Board members by the Secretary. The Secretary said that the final report entitled Governor's Options Analysis, Board of Animal Health, 1985 - 97 Biennial Budget had been prepared by Mr. Richard Krueger of the Department of Finance. This was a summary of two reports, one prepared by the Executive Secretary for the Board of Animal Health and the other prepared by Assistant Commissioner Darryl Anderson for the Minnesota Department of Agriculture. The Secretary said that he was not sure what would come of this report but that he would try to keep the Board members informed.

1985 - 87 BIENNIAL BUDGET

Copies of the Biennial Budget were distributed to all Board members. The Secretary went through the budget and highlighted the more important items. Instructions for preparing the budget provide that the 1985 - 87 requests shall not exceed the budget for the present biennium except for allowable inflationary factors and Change Requests. An increase of 5½ per cent for the first year is allowed for inflation and a figure of 5.8 per cent for the second year. Change Requests will be considered by the Legislatue on an individual basis. The total budget for the present biennium is $2,720,000; the request for the next biennium is $3,124,200, an increase of $404,200. Change Requests are as follows:

SUBJECT	FY1986	FY1987
3 Law Compliance Representatives	$68,000	$71,400
Pseudorabies Control	$109,300	$111,900
Avian Influenza Testing	$20,000	$20,000

By way of explanation the Secretary said that in the case of the three Law Compliance Representatives, we were really only asking to have our original number of six LCRs replaced since three were deletedfrom our roster during the fiscal reduction. The

pseudorabies control program is a new one mandated by the Legislature, and the Avian Influenza testing program is one that came about as a result of the Avian Influenza outbreak in Pennsylvania and Virginia in 1984 which as of October 5th, 1984 had cost the Federal government $61,620,684. The Secretary said that each Board member will be supplied with a copy of the printed budget when it is available which he estimated to be about January 15, 1985.

BRUCELLOSIS FREE STATUS FOR MINNESOTA

The Secretary said that as of October 1, 1984 the State of Minnesota had gone for a period of 12 months without a brucellosis reactor having been disclosed. This qualifies Minnesota for the status of a Brucellosis Free State. Application for such status is presently being made by the Federal Veterinarian In Charge in Minnesota and it is expected that such a classification should be presented to Minnesota about the middle of November. This means that many more states will accept Minnesota cattle without a brucellosis test and those that are now requiring that Minnesota cattle be quarantined for a brucellosis test on arrival will in most cases discontinue that requirement.

PRV RULE: LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES

The LCRAR again considered the Pseudorabies Control Rule at a meeting on October 10th, 1984. Copies of the Executive Director's report were distributed to all Board members. The staff made three recommendations which were adopted by the Committee:

1. Staff recommends that the Legislative Commission to Review Administrative Rules forward the proposals for PRV testing, cleanup, and education to the House Agriculture and the Senate Agriculture and Natural Resources Committees.
2. Staff recommends that the Legislative Commission to Review Administrative Rules request the Board of Animal Health to amend 3 MCAR 2.026 E.1.b. and E.1.c. by repealing the requirements for a second negative test.
3. Staff recommends that the Legislative Commission to Review Administrative Rules go on record as supporting the request by the Board of Veterinary Medicine for authority to promulgate permanent rules pursuant to Chapter 14 defining unprofessional conduct.

Dr. Mackey said that in addition to making the change in the PRV rule as recommended by the LCRAR, there were other changes that should be made at the same time, as working with the rule since its adoption had disclosed several flaws. After further discussion, Mr. Neeser moved that Dr. Mackey be directed to prepare amendments to the pseudorabies control rule and present them to to the Board for consideration at a later date. The motion was

seconded by Mr. Halvorson - motion carried.

PRV STEERING COMMITTEE REPORT

Dr. Mackey said that the PRV Steering Committee held a sub-committee meeting on September 13th, 1984 and formulated a four year plan for the control and eradication of pseudorabies in Minnesota that would cost approximately $1.5 million dollars per year. This proposes to eradicate pseudorabies in those counties north of the Minnesota River, and would vaccinate at state expense all herds south of the river except seedstock herds and would provide funds for testing in all quarantined herds. This proposal was submitted to representatives of the Minnesota Pork Producers' Association at a meeting that was held in St. Peter, Minnesota on September 27th, 1984 but the proposal was not accepted.

MINNESOTA PORK PRODUCERS' ASSOCIATION MEETING

Dr. Mackey said that he and the Secretary had been invited to attend this meeting in St. Peter on September 27th and that Dr. Hagerty also attended. Although the discussions centered around pseudorabies were pretty general, the Secretary said that he thought that the meeting was very much worthwhile since it gave the representatives of the MPPA a forum for their remarks and also there were four legislators in attendance. The Secretary said that anything that could be done to sensitize more legislators to the pseudorabies problem would be of assistance when the Board went before the Legislature to request funds for this program.

ANAPLASMOSIS STUDY

Dr. Mackey said that Representative Doug Carlson, a veterinarian from Sandstone, had succeeded in obtaining an appropriation of $100,000 to the University for the study of anaplasmosis in deer and cattle in northeastern Minnesota.

BISON TUBERCULOSIS IN MINNESOTA

The Secretary gave a summary of the situation as it now exists in Minnesota. The Heim Ranches of Rockham, South Dakota maintains two herds of buffalo and it has been determined that both are infected with tuberculosis. Traceback investigations reveal that since March, 1983 50 head of buffalo have been imported into Minnesota from the Heim Ranches to six premises in Minnesota. All of the imported buffalo and contact

animals have been placed under quarantine. One herd of 31 imported animals plus 18 contact animals has been completely depopulated. At the time of slaughter, all animals showed evidence of either gross or active lesions of tuberculosis. In a second herd one bull was imported in March 1984. This bull was slaughtered after the breeding season and the 16 contact bison were tested and negative by Dr. Ruebke on July 6th, 1984. As mentioned above, all of the other imported animals and contact animals are under quarantine and are in the process of either being depopulated, tested, or awaiting histolpathology and culture results from VSL.

After considerable discussion, the suggestion was made that a temporary rule be placed in effect as soon as possible, but Mr. Murphy, Special Assistant Attorney General, advised that the Board did not have that power. Mr. Murphy had prepared a proposed bill that would give the Board authority to adopt temporary rules and contained other provisions that would strengthen the authority of the Board. This proposed legislation is now in the process of being approved by the Minnesota State Planning Agency and if approved will be returned to the Board for action at the coming legislative session.

There was considerable discussion as to whether or not the Board should require a tuberculosis test for the importation of buffalo. Dr. Pyle suggested that the Board promulgate a separate rule covering the importation of buffalo. No action was taken on his suggestion. Dr. Mackey was directed to put an article in the next Newsletter covering this subject so that the veterinarians in Minnesota would be alerted to the problem.

BLUE MOUND STATE PARK: MINNESOTA BUFFALO HERD

One of the Board members said that he had heard that approximately 12 - 15 animals from the Blue Mound herd were to be sold sometime in the near future. After considerable discussion it was the suggestion that these animals be T.B. tested prior to sale. It was pointed out by the Secretary that the Board does not have the authority to require such a test on these animals prior to sale. Mr. Halvorson moved that the Board propose to the Department of Natural Resources a cooperative effort to test the bison for T.B. that are to be sold at Blue Mound in the near future and if at all possible to test the entire herd for tuberculosis. The motion was seconded by Mr. Delaney. The motion carried with one abstention and one objection.

NEXT MEETING

It was the consensus of the Board members that a meeting should be held prior to the regular date of January 11th, 1985. A special Board meeting was scheduled for Friday, December 7th, 1984 at the office of the Board in St. Paul.

There being no further business to come before the Board, Mr. Halvorson moved that the meeting be adjourned. The motion was seconded by Mr. Neeser - motion carried. The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, DECEMBER 7th, 1984

The meeting was called to order by President Contag at 9:50 a.m. Present were Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley and Mr. K. E. Neeser. Also present were Dr. J. G. Flint, Executive Secretary, Dr. W. J. Mackey, Assistant Secretary and Dr. T. J. Hagerty, Executive Secretary Elect.

SPECIAL MEETING NOTICE

In order to comply with the requirements of the Open Meeting Law, notice of the special meeting was published in the State Register on Monday, October 29th, 1984 on page 915.

MINUTES OF THE QUARTERLY BOARD MEETING, FRIDAY, OCTOBER 12th, 1984

Copies of the Minutes had been mailed to all Board members by the Secretary. President Contag asked if there were any additions or corrections to the Minutes. Dr. Contag said that there was a typo in line 1, paragraph 2 under Biennial Budget. The word "was" should be changed to "way". There being no further additions or corrections, President Contag declared the Minutes approved as mailed to the Board members by the Secretary.

MINNESOTA DECLARED BRUCELLOSIS FREE NOVEMBER 29, 1984

Dr. G. E. Keller was present for this discussion. The Secretary said that Dr. Keller was the person who was chiefly responsible for Minnesota having attained the status of a Brucellosis Free State as he had been in charge of the brucellosis division since 1942. Dr. Keller said that the brucellosis eradication program started in Minnesota in the late thirties. There was considerable discussion regarding a presentation ceremony at which time a representative of USDA, APHIS would present a Brucellosis Free certificate to the State of Minnesota. The Secretary said that it could be done at the Annual Livestock Conservation Institute meeting which would be held in St. Paul, April 9 - 11, 1985. Dr. Hagerty suggested that the presentation could be made at a Board meeting. Mr. Delaney suggested that it be done at the Annual Meeting of the Minnesota Livestock Breeders' Association which would be well represented by representatives of the cattle industry and has been scheduled for March 19th, 1985 at the University of Minnesota Technical School in Waseca. After considerable further discussion Dr. Hagerty was instructed to pursue the matter with representatives of APHIS and report back at the next Board meeting.

1984 ANNUAL REPORT

Copies of the report had been mailed to all Board members. The Secretary said that copies of the report had been mailed to all Legislators as directed by the Board at the July 6th, 1984 meeting. Copies will be mailed to all new Legislators in January, 1985.

BLUE MOUND BUFFALO HERD

At the October 12th, 1984 meeting the Board directed the Secretary to try to make arrangements to have the bison scheduled to be sold tested for tuberculosis prior to an upcoming sale, and further that a cooperative effort should be made with the Department of Natural Resources to test the entire herd for tuberculosis. Dr. Hagerty said that the Secretary had called Dr. Hicks, the state district veterinarian in that area, on Saturday, October 13th and was informed that the sale was scheduled for Wednesday, October 17th. Time did not permit the animals to be tested prior to the sale since the tuberculosis test is a 72 hour test. Dr. Hagerty said that Dr. Hicks had contacted the park supervisor regarding testing the balance of the herd for tuberculosis. At that time the Park was in the process of being closed and many of the employees were being laid off for the balance of the season. As a result the proposed testing was put on hold until spring.

BISON TB: TUBERCULOSIS TEST REQUIREMENT FOR IMPORTATION

Dr. Flint, Dr. Hagerty and Dr. Keller gave brief reports pertaining to bison that had been imported into Minnesota from the two Heim ranches in South Dakota since 1981. Infected and exposed bison were being slaughtered under a system of Federal indemnity which pays $450 per head for exposed animals and $750 per head for those that react to the tuberculin test or disclose lesions at time of slaughter. Those herds in which exposure cannot be definitely determined due to disposition of the imported animals are placed under quarantine and tested for tuberculosis.

The Secretary read two resolutions that were adopted by the USAHA Executive Committee at the meeting in Fort Worth, Texas in October, 1984:

> Resolution No. 5 - Committee on Zoological Animals: Tuberculosis testing of American Bison, as prescribed under the Uniform Methods for domestic cattle, be instituted for all bison moving interstate. States should require negative tuberculosis tests before allowing entry of this species into their areas.

Resolutaion No. 8 - Committee on Tuberculosis and Johne's Disease: USAHA goes on record as strongly recommending that all bison raised under agricultural conditions shall be handled under the same tuberculosis testing, indemnity, and depopulation conditions as cattle.

The Secretary said that he recommends the foregoing resolutions. Dr. Pyle recommended that the Board put out publicity and information regarding this matter so that persons with bison or those contemplating purchase of bison would be aware of the possibilities of tuberculosis infection in those animals. Dr. Pyle recommended that a requirement be established for a tuberculosis test prior to importation of buffalo, pointing out that the animals would have to be handled for the required brucellosis and anaplasmosis tests anyway.

Since there is a strong possibility that the infection may have been introduced into the Heim bison in South Dakota by elk, the discussion centered around whether or not elk should also be required to be tested for tuberculosis prior to importation into Minnesota. Dr. Pyle was instructed to check into this matter and report to the Board at the next meeting.

After further discussion Mr. Delaney moved that the Secretary be directed to start the necessary procedures for the promulgation of a new rule requiring that bison be tested for tuberculosis prior to importation into Minnesota. The motion was seconded by Dr. Hurley - motion carried. Dr. Pyle was directed to prepare a proposed draft of the rule to be submitted to the Board for consideration at the next meeting.

ADOPTION OF RULE 1715.0200 - 1715.0580 SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY AND OTHER SALES

A copy of the report of the Administrative Law Judge dated October 30th, 1984 pertaining to this rule was mailed to all Board members prior to the meeting. The Judge's final recommendation was that the proposed rules be adopted consistent with the Findings and Conclusions made in his report. Section 9 of the report did raise the issue as to when is the appropriate time and who is the appropriate person to punch the holes in the hogs ears. The report indicates that this is an issue which the Board should examine for possible amendments of its rules.

Dr. Pyle said that the operator of one street market was having the owners of the

pigs punch the holes in the ears on the farm of origin when the pigs were small and then consigning them for sale accompanied by a statement signed by the owner that he had punched the holes in the pigs ears on his farm at a prior date. Dr. Pyle said that he was going along with this policy at the present time. Mr. Halvorson suggested that another article be placed in the Farmer magazine stressing the importance of the disease to the swine owner and necessity of compliance with the new rules. Dr. Mackey said that he would make the necessary arrangements for such an article.

Mr. Halvorson moved that the following resolution be adopted by the Board:

> "RESOLVED, that the Board of Animal Health rules relating to Parts 1715.0200 through 1715.0508 The Sale of Livestock at Auction Markets, Consignment, Community, and Other Sales be hereby approved and adopted, pursuant to authority vested in us by M.S. Section 35.03 and that Dr. C. H. Contag, the President of the Board of Animal Health,be and hereby is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

The motion was seconded by Mr. Neeser - motion carried.

CLASS ACTION SUIT: LARS JOHANSSON VS BOARD OF ANIMAL HEALTH AND ATTORNEY GENERAL OF MINNESOTA

Mr. Jon Murphy, Special Assistant Attorney General, gave a brief report to the Board covering this suit. He said that he had submitted a brief to the Court on December 4th, 1984 making a motion to dismiss on the grounds that the complaint does not state a cause of action. He said that the Court date to discuss the motion had been scheduled for January 4th, 1985 and it was his personal opinion that the complaint will be dismissed.

BIENNIAL BUDGET: FINANCE DEPARTMENT'S RECOMMENDATIONS

Dr. Hagerty said that the total request as submitted to the Department of Finance was $3,124,200. The Department of Finance had recommended that the request be reduced by $151,000 leaving a total request of $2,972,600. The recommendations of the Department of Finance were as follows:

1. The request for three additional Law Compliance Representatives were deleted.
2. LAC funding and complement for one additional LCR was approved.
3. Supported the request for the pseudorabies funding.
4. Supported the Avian Influenza request but with the provision that fees be established.
5. Deleted the request for a computer terminal.

VACANCY FOR POULTRY DIVISION HEAD

Dr. Hagerty said that a vacancy now existed for the position of a Veterinarian Senior as Head of the Poultry Division due to the retirement of Dr. H. R. Olson on October 24th, 1984. He said that he had discussed the matter with representatives of the poultry industry in the Willmar area and also with veterinarians in the poultry department of the College of Veterinary Medicine and they have all strongly recommended that the position be filled by a veterinarian. Dr. Hagerty pointed out that the position description for this vacancy indicates that 50 to 60 per cent of the time is poultry related. Dr. Hagerty said that he had two questions for the Board:

1. Does the Board want the vacancy filled by a person in the Veterinarian Senior classification?
2. Should the position be advertised only in Minnesota or on a nationwide basis?

After further discussion, Mr. Neeser moved that the vacancy be filled with a person in the Veterinarian Senior classification and that the position be advertised both statewide and nationwide. The motion was seconded by Mr. Halvorson - motion carried.

NEW STATE DISTRICT VETERINARIAN

Dr. Hagerty said that the seven county district in southwestern Minnesota has been vacant since January 1st, 1984 when Dr. Duane Jacobs retired from federal service and came to work for the Board as a district veterinarian in a different district. The vacant district has been covered by Dr. Hicks and Dr. Payne but the workload has become too great for both of them. Twelve veterinarians on the eligible list maintained by the Department of Employee Relations were notified of the opening for a district veterinarian. Four responded to the invitation but only three appeared for an interview. Dr. Hagerty said that he picked Dr. John Landman, a practitioner at Blue Earth who has just completed 25 years in practice. As a part of his practice he has been the official veterinarian at a livestock auction market for several years. Dr. Landman will be reporting for service with the Board on January 9th, 1985. Dr. Hagerty said that his training would consist of several days here in the office followed by three weeks of field training, spending one week with each of three state district veterinarians. Dr. Landman will be required to relocate from Blue Earth to a fairly centralized location in his new district.

REDUCED DOSAGE BRUCELLOSIS VACCINE

The Secretary said that both the Wisconsin and Missouri Newsletters had recently carried

articles informing veterinary practitoners that after December 31st, 1984, the only official brucella vaccine will be the reduced dose vaccine. This means that calves vaccinated with the standard dose vaccine after that date will not be recognized as official calfhood vaccinates for brucellosis.

The Uniform Methods and Rules for Brucellosis Eradication effective July 1, 1984 provides that the definition of an Official Vaccinate for states utilizing an approved full dosage of the vaccine will apply only until December 31, 1984.

The Secretary said that Dr. Keller had submitted an office memorandum indicating that only three companies were making the vaccine. Bay-vet (Haverglover) discontinued making brucella vaccine; Welcome Laboratories are making the reduced dosage only; Colorado Serum Company is making both the reduced and standard vaccines. After considerable discussion, it was the decision that there was probably no need to immediately change the rule but both the Secretary and Dr. Hagerty strongly recommended that the practicing veterinarians in Minnesota be notified of the provisions of the UMR. Mr. Neeser moved that the Secretary be directed to notify the practitioners in Minnesota via the next Newsletter of the provisions for the discontinuation of the standard dose brucella vaccine effective December 31, 1984 as outlined under the definition of an official vaccinate in the UMR. The motion was seconded by Dr. Hurley - motion carried.

1984 ANNUAL USAHA MEETING: FORT WORTH, TEXAS, OCTOBER 22 - 26, 1984

Dr. Contag, Mr. Neeser, Dr. Hagerty and Dr. Flint had attended this meeting. The Secretary explained the organization of the USAHA, its functions, membership and Executive Committee.

Mr. Neeser gave a brief report on his attendance at the various committee meetings and stated that in his opinion it was a good meeting for Board members to attend.

Dr. Hagerty gave a report on his attendance at the various committee meetings, especially the Pseudorabies Committee. Much of the discussion at that meeting centered around the progress of the various pilot projects that were being carried out in several states.

Dr. Contag said that he had attended the meeting of the National Assembly (the organization of all chief livestock health officials) and that there was considerable interest in a uniform health certificate. He also pointed out that the national

Association of American Veterinary Laboratory Diagnosticians (AAVLD) meets in conjunction with the USAHA although they are two separative and distinct organizations. The Cattle Exports Committee pointed out that European countries do a much better job than the United States does of preparing livestock for international shipment. Dr. Contag said that in his opinion it was a very informative meeting and was of the opinion that it was good meeting for Board members to attend.

The 1985 USAHA meeting will be held in Milwaukee, Wisconsin.

NEXT BOARD MEETING

The next Board meeting was scheduled for the regular date of Friday, January 11th, 1985.

There being no further business to come before the Board, Dr. Hurley moved that the meeting be adjourned. The motion was seconded by Mr. Delaney - motion carried. The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

J. S. Blunt

Secretary

MINUTES OF THE QUARTERLEY BOARD MEETING OF FRIDAY, JANUARY 11, 1985

The meeting was called to order by President Contag at 9:30 a.m. in Conference Room D at the Board offices in the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota. The members present were Dr. C. H. Contag, Mr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley and Mr. K. E. Neeser. Also present were Dr. T. J. Hagerty, Executive Secretary and Dr. W. J. Mackey, Assistant Secretary.

MINUTES OF THE SPECIAL BOARD MEETING OF FRIDAY, DECEMBER 7, 1984

Copies of the Minutes have been mailed to all Board members by the Secretary. President Contag asked for additions or corrections to the Minutes. There being none Dr. Contag declared the Minutes approved as presented.

ADOPTION OF THE AGENDA

President Contag asked if the members had any additions to the agenda. There being none the agenda was approved on a motion by Halvorson and seconded by Neeser with all voting aye.

PRESENTATION OF BRUCELLOSIS FREE CERTIFICATE

The Secretary reported that per the Board's request he had been in communication with Mr. Lyle Lamphere of the Minnesota Livestock Breeders Association and that Mr. Lamphere had assured the Secretary that his Association would be very pleased to host the presentation of this certificate at their Annual Meeting on March 19, 1985 at Waseca, Minnesota. The Secretary informed the Board that he had been in communication with Dr. Larry White, Acting Veterinarian in Charge, APHIS, Veterinary Services, St. Paul, and that Dr. White had forwarded the Secretary's letter of request to Dr. Fichtner, the Regional Veterinarian in Charge, APHIS, Veterinary Services, who in turn is forwarding that request to Mr. Burt Hawkins, Administrator of APHIS, that request being that the Board would like to have Mr. Hawkins make the Brucellosis Free certificate presentation to Dr. Flint and Dr. Keller and to the Board members at the Minnesota Livestock Breeders Annual Meeting in Waseca, Minnesota on March 19, 1985. The Minnesota Livestock Breeders Association was chosen as the group that best represented the livestock producers who were involved in brucellosis eradication. The Board members requested that the Secretary communicate with the Board of Directors and the Program Committee of the Minnesota Livestock Breeders Association and ask them if they would invite other representatives of livestock producers

such as the President of the Minnesota Pork Producers Council, some of the leaders of the Minnesota Cattlemen's Association, the DHIA group and the Minnesota Beef Improvement Association and any other groups in an effort to not exclude anyone.

POSITION VACANCIES

The Secretary introduced Dr. John Landman, a practitioner from Winnebago, Minnesota who commenced working with the Board on January 9, 1985 as a district veterinarian in southwestern Minnesota.

The Secretary reported that the position of Veterinarian Senior for the Poultry Division had been advertised with the Department of Employee Relations and also in the American Veterinary Association Journal and that those applications must be in by March 1, 1985.

TB IMPORTATION REQUIREMENTS

Dr. Robert Pyle attended the meeting to reply to the Board's request in the December 7, 1984 meeting that he draw up requirements for the test of tuberculosis in bison and elk for importation. This would be a new rule rather than an amendment to an existing rule. It would include only bison and elk and would require that they be tuberculosis tested within 60 days prior to entry. The Board discussed this proposed rule and also discussed whether elk should also be required to be tested for brucellosis. The Secretary explained that that might be properly addressed as an amendment to the brucellosis rule rather than adding it to a new rule. Bison are already required to be tested for brucellosis in the brucellosis rule. A motion was made by Neeser and seconded by Hurley and passed with all voting aye to adopt the rule as presented.

> "RESOLVED, that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directing that Notice be given of the Board's intent to adopt without a public hearing rules governing the Importation of Bison and elk, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including any but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

A motion was then made by Halvorson and seconded by Delaney to table further discussion on the brucellosis testing requirement for elk until the April meeting. All voted aye. The Secretary instructed Dr. Pyle to bring to the April meeting new information on

brucellosis in elk.

LIVESTOCK SANITARY BOARD RULE NO. 4 HORSE IMPORTATION

Dr. Pyle and Dr. Mackey reported that the change in the rule, being non-controversial, was progressing through the proper procedures.

STATUS CLASS ACTION LAWSUIT

Dr. Mackey reported that this case was heard in Federal District Court on Friday, January 4th before Judge Harry McLaughlin and that the Judge took the matter under advisement. There has been no word from the Judge at this time.

STATUS OF LSB NO. 41 AUCTION MARKET RULE

Dr. Pyle reported that this rule would be published soon in the State Register after which it would then be in effect. Dr. Pyle introduced three street market feeder pig dealers. Carl Tessmer of Rogers, Minnesota, Dale Melin of Sauk Centre, Minnesota and Darwin Binck of Bowlus, Minnesota were introduced to the Board. Mr. Tessmer acted as the spokesman for the group. Mr. Tessmer presented written proposals to the Board. Mr. Tessmer's concern regards the identification of feeder pigs moving through a concentration point. Mr. Tessmer states that it is next to impossible to either eartag or to hole punch at the street sale site. The Secretary explained to Mr. Tessmer and to the Board that the pseudorabies rule was in place and that the auction market rule was soon to be in place and that the employees of the Board had no choice but to enforce the rule at this time. The Board could change the rule if they saw fit, however, this would take a great deal of time and it is important that the group realizes that at this time they must comply with the rule.

BOARD OF ANIMAL HEALTH MEMBERSHIP CHANGE

Dr. Contag announced that Dr. Henry Banal, Sauk Centre, Minnesota had been appointed as the new Board member replacing Dr. Contag whose term expires. Dr. Banal's appointment begins January 16, 1985.

PARATUBERCULOSIS LSB NO. 15 PROPOSED RULE CHANGE

Dr. George Keller, Veterinarian in Charge of the Brucellosis Division, and Dr. David Sherman of the University of Minnesota came before the Board to present proposed changes in the paratuberculosis rule LSB No. 15. Dr. Gerald Kennedy of Pipestone, Minnesota was in attendance to present his views on this rule. Dr. Keller explained that the changes

were essentially in four areas. Those changes are 1. Recognizing the AGAR jel immunodiffusion (AGID test). 2. Changing the quarantine to restricted movement. 3. Regulating the use of vaccine and 4. Establishing a classification system for all herds in the state. The AGID test is a recently introduced test which Dr. Sherman explained to the Board was very sensitive and much more rapid and less expensive than fecal culture. The restricted movement would apply only to herds in which animals had been found positive to either the fecal culture test or to the AGID test. Restricted movement would apply only to individual animals that responded to the Johnin test. Bull calves and vaccinated animals would not be restricted in herds placed under restricted movement. Vaccine would be controlled for two reasons - 1. It affects the TB test and 2. It can cause serious lesions if injected accidently into humans. Dr. Kennedy's concern regarded the difficulty in getting herds off of quarantine and he was also concerned about individual animals that have been assembled for export that react to the Johnin test and are then quarantined. He explained that in Iowa and Wisconsin these animals were not quarantined nor restricted and the exporter was able to sell locally those animals not passing export requirements After considerable discussion, Mr. Neeser moved that Dr. Keller be instructed to bring to the next Board meeting a revised rule removing the restricted movement or quarantine section entirely but to retain the demand for reportability, the control of vaccination, and the classification system. This motion was seconded by Hurley and passed with all voting aye. The Board then discussed how they should handle those herds that are presently under quarantine. The Secretary was instructed to bring to the next Board meeting suggestions on how this should be addressed.

PROPOSED CHANGES IN EXHIBITION RULE LSB-40

Dr. Keller explained that there was need for some changes in this rule particularly in the area of swine and the pseudorabies regulation and that he would prepare that information for the Board and present it at a later meeting.

DISCUSSION ON STREET MARKET OPERATORS REQUEST

The Board discussed Mr. Tessmer's presentation and then instructed the Secretary to respond to Mr. Tessmer and his associates in writing informing him that the rule is now in place, that the Board understands their problems but at this time the Board expects their cooperation and that non-compliance will be treated as a violation of the

rule. The Board discussed the Law which was passed in 1983 No. 35.255 Pseudorabies Program; rules. "The Board of Animal Health shall adopt rules to implement a program to control pseudorabies in swine including pseudorabies testing of breeding swine and restricted movement of feeder pigs."

PREPARATION FOR LEGISLATIVE SESSION

The Board discussed the impending legislative session and discussed with the Secretary the procedures necessary to present the budget request to the appropriate committees. The Board felt that they should meet monthly during the legislative session and asked that the Secretary set up a special meeting for February and also for March. The meeting in March will be held on March 19, 1985 in Waseca, Minnesota at the University of Minnesota Waseca Technical College. The meeting in February is to be held at the Board offices and this meeting is to be an approximately four hour meeting to allow the Board members time to attend any Committee meetings or hearings at the Capitol on that day. The Secretary will prepare the necessary documents and follow the required procedures to implement this request.

DEPARTMENT OF FINANCE FEE SCHEDULE

The Secretary discussed with the Board the fee schedule that was requested of the Board by the Department of Finance. This schedule would have the Board require fees for auction market permits, pet and mink food processing permits, pseudorabies negative and vaccinated herd certificates, quarantine feedlot permits and for rendering plant operation permits.

DR. CONTAG RETIRES FROM THE BOARD

The Board members on a motion by Neeser and seconded by Halvorson expressed to Dr. Contag their appreciation for his efforts during his term on the Board.

MEETING ADJOURNMENT

The meeting was adjourned at 4:45 p.m. on a motion by Nesser and seconded by Halvorson and passed with all voting aye.

Respectfully submitted,

J. Hagerty

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF WEDNESDAY, MARCH 6th, 1985

The meeting was called to Order at 9:30 a.m. in Conference Room C of the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota by Vice-president Kenneth Neeser. All Board members Dr. Henry Banal, Mr. J. G. Delaney, Mr. H. I. Halvorson, Dr. S. I. Hurley, and Mr. K. E. Neeser were present. Also present were Dr. T. J. Hagerty, Executive Secretary, Dr. W. J. Mackey, Assistant Secretary, and Dr. R. G. Pyle, Veterinarian in Charge, Imports and Markets Division.

SPECIAL MEETING NOTICE

The Secretary informed the Board that to comply with the Open Meeting Law, the notice of this special meeting was published in the State Register, Volume 9, Number 31, page 1690 on January 28, 1985.

MINUTES OF THE REGULAR QUARTERLY MEETING OF FRIDAY, JANUARY 11, 1985

Vice-president Neeser asked for additions or corrections to the Minutes of the January 11, 1985 quarterly Board meeting which had been mailed to the members. There being none, Mr. Neeser declared the Minutes approved as presented.

APPROVAL OF AGENDA

Mr. Delaney asked that he be allowed to add an item to the Agenda relating to Minnesota residents owning livestock and pasturing them on land in South Dakota adjoining their Minnesota property. Mr. Neeser added this request to the Agenda. There being no further requests Mr. Halvorson moved and Mr. Delaney seconded and all voted aye to approve the Agenda as presented and amended.

REPORT ON LSB 41 AND ON BISON AND ELK TUBERCULOSIS TEST IMPORTATION RULE

Dr. Pyle reported to the Board that the revised LSB rule 41 which will now include street markets and the identification of feeder pigs has been published in the State Register and will be in effect as of March 18, 1985. Dr. Pyle also reported that the rule to require a negative tuberculosis test of bison and elk prior to importation into Minnesota has been published in the State Register on March 4th, 1985 and will be published again on March 18, 1985. Since this appears to be a non-controversial issue no hearings should be necessary. If there is no response from the public following the second publishing, the rule should be in place by April 30th, 1985.

DISCUSSION OF LEGISLATIVE ACTIVITIES

The Secretary reported to the Board on the pieces of legislation that have been or may be introduced in the present legislative session. The biennial budget request of $2,969,200 is at the "same" level as the present biennium plus two change requests. These requests are for $221,200 for the biennium to implement the pseudorabies law passed in 1983 and for $40,000 for the biennium for Avian Influenza survelliance program. This budget has been approved by the Department of Finance and is included in the Governor's recommended budget request. The Governor has requested that the Board prepare and introduce legislation to provide for the assessment of fees to recover the $40,000 for Avian Influenza testing and also fees for services rendered by the Board for auction market inspection, consignment sales, a one time charge for pseudorabies qualified negative and pseuodrabies controlled vaccinated herd certificates, mink and pet food processing plant inspections, and rendering plant inspections. The Secretary has completed this assignment.

Legislation has been prepared and has been introduced to "change certain duties and powers of the Board of Animal Health, increase certain penalties; and amend Minnesota Statutes 1984, Section 35.03; 35.05; and 35.069." The Secretary reported that legislation is being introduced by others requesting funds for pseudorabies research and education, and for financial assistance to pork producers under quarantine. The Secretary also reported that legislation has been introduced to change the appointing authority for members to the Board from the Governor's office to the Commissioner of Agriculture. Following discussion on this matter, the Board was in agreement that they preferred that that appointing authority remain with the Governor's office.

REPORT ON THE STATUS OF THE CLASS ACTION LAWSUIT

Dr. Mackey reported that the class action lawsuit brought against the Board by Mr. Lars Johannson was dismissed from Federal District Court in Minneapolis, Minnesota on February 8, 1985 by Judge Harry H. McLaughlin.

BRUCELLOSIS FREE CERTIFICATE

The Secretary discussed with the Board the order of events for the special Board meeting to be held on March 19, 1985 at the University of Minnesota Technical College,

Waseca, Minnesota at which time the presentation of the Brucellosis Free Certificate will be made to the Board of Animal Health by USDA officials at the Annual Meeting of the Minnesota Livestock Breeders Association.

POSITION VACANCY

The Secretary reported that the final date for accepting applications for the poultry position has been changed to March 18, 1985 due to a delay in the appearance of the advertisement in the AVMA Journal.

DISCUSSION ON THE PROBLEM PRESENTED BY MR. DELANEY

This matter involved a Minnesota resident who has pasture land in South Dakota adjoining his Minnesota property. He feels he should not have to test his cattle upon their return to Minnesota for brucellosis and anaplasmosis as is mandated by Law and Board rules. After discussion the matter was tabled until the April 12, 1985 meeting.

ADJOURNMENT

Because Dr. Hurley and Dr. Banal had been requested to appear before the Agricultural and Natural Resources Committee in the Senate prior to their confirmation as members of the Board of Animal Health the meeting was adjourned at 11:45 a.m. on a motion by Hurley and seconded by Halvorson.

Respectfully submitted,

J. Hagerty

Secretary

MINUTES OF THE SPECIAL BOARD MEETING OF TUESDAY, MARCH 19, 1985

The Board of Animal Health met in a special meeting at 10:00 a.m. on March 19, 1985 at the University of Minnesota Technical College, Waseca in Waseca, Minnesota. The notice of this special meeting was published in the State Register, Volume 9, Number 31, page 1690 on January 28, 1985.

Vice-president Neeser called the meeting to Order and noted that all Board members, Mr. K. L. Neeser, Mr. H. I. Halvorson, Mr. Jack Delaney, Dr. S. H. Hurley and Dr. Henry Banal were in attendance as was Dr. T. J. Hagerty, Executive Secretary.

The purpose of the meeting at this location was to attend the banquet of the 89th Annual Meeting of the Minnesota Livestock Breeders Association. Mr. James Lee, Associate Administrator of APHIS, USDA, Hyattsville, Maryland was present to present the Brucellosis Free Certificate to the Board of Animal Health. Minnesota has not had a brucellosis reactor detected for 18 months. Accepting for the Board was Vice-president Kenneth Neeser and Dr. George Keller, Veterinarian in Charge, Brucellosis Division. The Livestock Breeders Association Annual Meeting was chosen as the site for the presentation because the Board felt that this group best represented the producers whose cooperation was so important in the eradication of the disease.

At the Board meeting the following business was conducted:

APPROVAL OF AGENDA

The agenda was approved on a motion by Delaney and seconded by Hurley with all voting aye.

REPORT ON LEGISLATIVE ACTIVITIES

The Secretary reported on the legislative activities. Legislation to change the appointing authority to members to the Board from the Governor's office to the office of the Commissioner of Agriculture has been introduced into the House and Senate. The consensus of the Board members was that they would prefer that the appointments continue to be made by the Governor and that the open appointments procedure continue.

The Secretary discussed with the Board the four pieces of legislation pertaining to appropriations for PRV. The priority legislation is the budgetary request for the Board of Animal Health which is included in the Governor's recommendation.

The meeting was adjourned on a motion by Hurleyand seconded by Halvorson with all voting aye and the Board members then joined the livestock breeders association at their banquet.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 12, 1985

The meeting was called to Order by Vice-president Neeser at 9:30 a.m. in Conference Room C at the Board offices in the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota. The members present were Mr. K. E. Neeser, Mr. H. I. Halvorson, Mr. J. G. Delaney, Dr. S. I. Hurley, and Dr. Henry Banal. Also present were Dr. T. J. Hagerty, Executive Secretary, and Dr. W. J. Mackey, Assistant Secretary.

MINUTES OF THE SPECIAL BOARD MEETINGS OF WEDNESDAY, MARCH 6TH AND TUESDAY, MARCH 19, 1985

Copies of the Minutes had been mailed to all Board members by the Secretary. Vice-president Neeser asked for additions or corrections to the Minutes. There being no additions or corrections, Vice-president Neeser declared that the Minutes stand approved as presented.

ADOPTION OF AGENDA

Vice-president Neeser asked if the members had any additions to the Agenda. Dr. Banal asked that a discussion on the Brucellosis Laboratory be added to the Agenda. The Agenda was then approved on a motion by Hurley and seconded by Banal with all voting aye.

MOVEMENT OF LIVESTOCK ACROSS STATE LINES BY OWNER

Mr. Delaney asked the Board to consider the situation of livestock owners living near the borders of the state, particularly the Minnesota-South Dakota border, where these owners have pastures in both states and wish to move cattle back and forth between these pastures. Dr. R. G. Pyle joined the meeting at this point and brought with him brucellosis rule 1700.0700 and anaplasmosis statute 35.251. Both of these documents require that cattle entering Minnesota from any state must be tested for brucellosis and anaplasmosis prior to entry. The point of this discussion was to determine if there is a way to accommodate these cattle owners so they would not have to test their own cattle before returning them to Minnesota. The possibility of providing these owners with some type of permit was considered. A motion was made by Halvorson and seconded by Delaney and passed with all voting aye to instruct the staff to study this type of situation and to bring back to the Board alternatives to the present Law and rules and what the consequences of those alternatives might be. The Board was concerned about the entire border and southeastern as well as southwestern Minnesota where there are beef cattle and pastureland. The Secretary said that that information would be available at the next Board meeting.

LEGISLATIVE UPDATE

The Secretary reported to the Board on the progress of current legislation being considered by the Legislature. Of particular concern to the Board was SF 1140 which would require the identification of boars, sows and stags to the herd of origin. The Secretary was instructed to pursue this bill and on a motion by Delaney and seconded by Banal with all voting aye the Secretary was instructed to discuss with the author the advisability of withdrawing SF 1140 because it may be detrimental to Minnesota pork producers as well as producers of the surrounding states.

EXHIBITION RULE LSB 40 REVISION

Dr. George Keller joined the meeting at this point to discuss with the Board the proposed changes in the exhibition rule. Those changes included the requirements of the pseudorabies rule, a definition of exhibition, a proposal that horses brought to the racetracks should meet the requirements of the rule, that the brucellosis test on goats should be recognized for 120 days instead of 90 days, and that tuberculosis tests on goats be discontinued. After considerable discussion Mr. Neeser set this rule aside and asked for discussion on the next item.

DISCUSSION OF THE REVISION OF 3 MCAR 2.015 CONTROL OF BOVINE PARATUBERCULOSIS

Dr. Keller, Dr. Sherman of the University of Minnesota, College of Veterinary Medicine, and Dr. Gerald Kennedy, practitioner from Pipestone, Minnesota, joined the meeting to discuss the Johne's rule revision. Dr. Keller, as instructed by the Board at the January 11th meeting, brought back to the Board a revised Johne's rule that had no quarantine language. This revised rule was discussed at length by the Board. This rule does not have a quarantine provision but does have a four part voluntary classification system. After considerable discussion a motion was made by Hurley and seconded by Delaney and passed with all voting aye to accept the Johne's rule revision without quarantine but with voluntary classification. The Board instructed the Secretary that they wished to see this rule after it has been returned from the Revisor of Statutes office and before a hearing is called on this rule change. The Secretary was instructed to begin the process of bringing this rule to a formal hearing.

DISCUSSION OF THE BLUE TONGUE POLICY

The Secretary reported to the Board on the present policy of placing quarantines on animals which react positive to a Blue Tongue test. The policy had been adopted on a motion made and passed at the Board meeting of April 16, 1982. The only release of quarantine provision in the present policy is that these animals must react negative to a subsequent test or go to slaughter. This policy presents a considerable problem in the case of cattle exports as to releasing the quarantine or removal of animals reacting positively to a recognized test. The Board's concern was that with Johne's and Blue Tongue there was no way for an owner to remove an animal from quarantine without going to slaughter or without a great deal of expense. A motion was made by Hurley and seconded by Banal and passed with all voting aye to release the quarantine on a Blue Tongue reactor after 30 days if a district veterinarian determines that there are no clinical signs of the disease or if there is a negative test.

EXHIBITION RULE

A motion was made by Halvorson and seconded by Hurley and passed with all voting aye to accept the revised exhibition rule with two changes, one, that the brucellosis test on goats be recognized for 90 days as it is for cattle, and second, that the definition of a public exhibition means that when livestock or poultry of a single species owned by two or more persons are brought to one location for judging or for display to the public, it shall be considered as a public exhibition. The Board indicated that they want to see the Revisor's copy of the rule before it goes to a public hearing.

DISCUSSION OF THE BRUCELLOSIS LABORATORY

Due to the lack of time Dr. Banal suggested that his request for discussion on the Brucellosis Laboratory be held over to the next Board meeting. Mr. Neeser agreed and instructed the Secretary to place this item on the next Agenda.

ELECTION OF OFFICERS

A motion was made by Halvorson and seconded by Hurley to nominate Mr. Neeser for the position of President and that the Secretary cast a unanimous ballot. The motion passed with all voting aye. A motion was made by Hurley and seconded by Delaney that Mr. Halvorson be nominated for the position of Vice-president. A motion was made by Delaney

and seconded by Hurley and passed with all voting aye that nominations cease and that a unanimous ballot be cast for Mr. Halvorson.

SELECTION OF EXECUTIVE SECRETARY

The Secretary reviewed for the Board the requirements for appointing an Executive Secretary for the next fiscal year, the present salary, and the salary steps approved by the Department of Employee Relations. The Secretary reported on his activities since he assumed office on January 1, 1985. The Secretary then retired from the meeting and Assistant Secretary Dr. W. J. Mackey assumed the Secretary's position. A motion was made by Hurley and seconded by Delaney and approved with all voting aye that Dr. Hagerty be appointed Executive Secretary for the July 1, 1985 - June 30, 1986 fiscal year. A motion was made by Halvorson and seconded by Hurley that the Executive Secretary be granted an increase in salary to the 9th step on July 1, 1985.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

J. Hagerty

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JULY 12, 1985

The regularly scheduled quarterly meeting of the Board of Animal Health was called to order by President Kenneth Neeser at 9:30 a.m. on Friday, July 12, 1985 in Conference Room "C" of the Minnesota Department of Agriculture Building at 90 W. Plato Blvd., St. Paul, Minnesota. The members present were Mr. K. E. Neeser, Mr. H. I. Halvorson, Mr. J. G. Delaney, Dr. S. I. Hurley and Dr. Henry Banal. Also present were Dr. T. J. Hagerty, Executive Secretary and Dr. W. J. Mackey, Assistant Secretary.

MINUTES OF THE REGULARLY SCHEDULED MEETING OF FRIDAY, APRIL 12, 1985

The Minutes of the April 12, 1985 meeting had been sent to the Board members previous to this meeting and hearing neither additions nor corrections from the Board Mr. Neeser declared that the Minutes be approved as presented.

ADOPTION OF AGENDA

Mr. Neeser then asked for a discussion on the agenda that had been presented. Mr. Delaney asked that time be allowed for discussion on the brucellosis plate and card test. Mr. Neeser suggested that there may be time for that during the tour of the Brucellosis Laboratory. The agenda was then approved with a motion by Banal and seconded by Hurley with all voting aye.

ADOPTION OF THE RESOLUTION ON THE IMPORTATION OF BISON AND ELK

The Board discussed and then adopted the following resolution on the Importation of Bison and Elk with a motion by Delaney and seconded by Banal with all voting aye.

> "RESOVLED, that the rules relating to Importation of Bison and Elk Part 1700.4800 be and they hereby are approved and adopted, pursuant to Authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

REPORT ON IMPACT OF CANTERBURY DOWNS ON IMPORT DIVISION

Dr. R. G. Pyle, Veterinarian in Charge of Imports and Markets was present to report to the Board that with the advent of horse racing in the State, all horses coming into the State to race have to have valid health certificates and a negative AGID test for EIA within 12 months of entry and that the Racing Commission has a similar requirement in its rule and is enforcing it.

DISCUSSION OF COMPLIANCE WITH PRV RULES AT STREET MARKETS

Dr. Pyle discussed the effects of compliance of street markets which are now under the auction market rule. Dr. Banal reported that several street markets were not in compliance and he felt it was time that they do so. Dr. Pyle said he would contact the operators of these markets immediately.

The Board suggested that a district veterinarian check the street sales periodically and also suggested that a form be devised for the official veterinarian to fill out and sign and send in for each sale day as a method of keeping the office informed of compliance.

DISCUSSION ON EXHIBITION RULE LSB 40

Dr. George E. Keller, Veterinarian in Charge of Brucellosis, Tuberculosis, and Paratuberculosis came before the Board to present the proposed exhibition rule and the proposed paratuberculosis rule as these rules appear after revision by the Revisor's office. The Board members had received copies prior to the Board meeting. In the exhibition rule, the Board was concerned about what constituted "poultry" and that a definition be added which would be similar to the definition in the mycoplasma rule which states that poultry are turkeys, chickens and other poultry and other poultry are pheasants, partridges, guinea fowl, quail and other domesticated fowl or wild fowl maintained in captivity.

Mr. Neeser expressed concern over part 1715.0030 of the exhibition rule, exhibition in connection with consignment sale which differentiates such occurrence of less than 18 hours from those of more than 18 hours. Mr. Neeser felt that both should be handled the same. The Board agreed and on a motion by Hurley and seconded by Banal and approved with all voting aye instructed the staff to include in the rule the definition of poultry as presented and to delete the differentiation of more than and less than 18 hours for the exhibitions held in connection with a consignment sale.

DISCUSSION ON 3 MCAR 2.015 CONTROL OF BOVINE PARATUBERCULOSIS

The Board discussed the proposed paratuberculosis rule revision and with a motion by Halvorson and seconded by Hurley and approved with all voting aye instructed the staff to include in the rule the provision that existing quarantines issued under the present rule be released at the time the proposed rule takes effect.

The Board instructed the Executive Secretary to proceed with the steps required to bring these two rules to a public hearing as prescribed by statute for promulgation of rules.

REPORT ON PRESENT STATUS OF PRV IN MINNESOTA

Dr. Mackey reported on the status of PRV in the State at this time. There are now 309 quarantined swine herds with 90 herds disclosed since 1-1-85.

USAHA ANNUAL MEETING

Dr. Hagerty informed the Board that the annual USAHA meeting is to be held in Milwaukee, Wisconsin on October 21, 1985 through October 25, 1985. After discussion of the subject the Board approved the expenses for Halvorson, Delaney and Hagerty to attend on a motion by Banal and seconded by Hurley and approved with all voting aye.

NEXT BOARD OF ANIMAL HEALTH MEETING

A motion was made by Banal and seconded by Hurley and approved with all voting aye to hold the next meeting on September 20, 1985 at a meeting place to be determined later.

Mr. Neeser adjourned the meeting at 12:00 p.m. to be followed with a tour of the Brucellosis Laboratory and the Diagnostic Laboratory at the College of Veterinary Medicine, University of Minnesota, St. Paul, Minnesota commencing at 2:00 p.m.

TOUR OF THE STATE-FEDERAL BRUCELLOSIS LAB AND DIAGNOSTIC LAB

Mr. Robert Tiller, Bacteriologist at the Brucellosis Laboratory conducted the tour of that Laboratory explaining to the Board the functions of the facility.

Dr. Marty Bergeland, Director of the Diagnostic Lab conducted the tour of that facility including a tour of the newest addition, its toxicology laboratory, which is the official laboratory of the Minnesota Racing Commission.

These tours were concluded with a meeting with Dr. Bergeland, Dr. Robert Dunlop, Dean of the College of Veterinary Medicine, Dr. Dale Sorenson, Associate Dean of the College of Veterinary Medicine and Dr. Carl Jessen, Associate Dean of the College of Veterinary Medicine.

President Neeser adjourned the meeting at 4:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, SEPTEMBER 20, 1985

The quarterly meeting of the Board of Animal Health was called to Order by President Kenneth Neeser at 9:30 a.m. on Friday, September 20, 1985 at the Holiday Inn, North Mankato, Minnesota. The members present were Mr. K. E. Neeser, Mr. H. I. Halvorson, Mr. J. G. Delaney, Dr. S. I. Hurley, and Dr. Henry Banal. Also present were Dr. T. J. Hagerty, Executive Secretary and Dr. W. J. Mackey, Assistant Secretary.

MEETING NOTICE

The Secretary informed the Board that to comply with the Open Meeting Law the notice of this meeting was published in the State Register on July 29, 1985.

MINUTES OF THE MEETING OF JULY 12, 1985

Mr. Neeser, hearing neither additions or corrections, delcared the Minutes approved as presented.

TO APPROVE THE AGENDA

Mr. Neeser asked for a motion to approve the agenda. Dr. Banal asked that a discussion on street markets be added. Mr. Delaney asked that he be allowed to discuss several items. A motion was then made by Hurley and seconded by Banal and approved with all voting aye.

THE PROPOSED GRAZING RULE

The Secretary presented to the Board a proposed grazing rule. This was in response to the Board's direction to the staff to review the surrounding states' procedures and to present a proposal. A motion was made by Delaney and seconded by Halvorson, be it

> "RESOLVED, that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health hereby is granted the authority and directing that Notice be given of the Board's intent to adopt without a public hearing rules governing the Importation of Cattle, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including any but without being limited to signing an Order for Hearing and Notice of Hearing as well as the Board's representatives at all Hearings."

Halvorson, Delaney, Hurley and Neeser voted aye, Banal voted no, motion carried.

REVIEW OF THE EXHIBITION RULE

At the July 12, 1985 meeting, the Board by motion deleted in 1715.0030 the differentiation of more than and less than 18 hours for exhibitions held in connection with a consignment sale. After reviewing the consequences of this action the Board determined that instead of being less restrictive, which was the intent of the Board, this motion made the exhibition rule more restrictive. A motion was made by Hurley and seconded by Halvorson and approved with voting aye to rescind that part of their motion of July 12, 1985 which deleted the differentiation of 18 hours for exhibitions held in connection with a consignment sale.

DISCONTINUANCE OF THE CARD TEST AT THE BRUCELLOSIS LABORATORY

The Secretary explained to the Board that he had made the decision to discontinue the use of the card test for bovine serums after conferring with Regional Epedimiologist Dr. Jack Oaks of Oklahoma City, Oklahoma and AVIC, Dr. P. M. Eppele of the St. Paul office of APHIS, VS. The Secretary explained to the Board that to facilitate efficiency and to decrease the chance of error at the Laboratory, the Board should adopt the use of the BAPA (Buffered Acid Plate Antigen) as the screening test for porcine and caprine serums. The BAPA test is a screening test as is the card test. The BAPA test is more recently developed and is more sensitive than the card test. On a motion by Banal and seconded by Delaney with all voting aye and passed, the Board adopted the BAPA test as a screening test for porcine and caprine serum.

BRUCELLOSIS CONTINGENCY PLAN

APHIS is requesting that the states put in place a contingency plan for dealing with outbreaks of brucellosis. One of the aspects of the contingency plan is to have an advisory committee to the agency. The Secretary discussed with the Board the advisability of the Board acting as that advisory committee. Also it is requested that the agency have a method of communications in the event an outbreak occurs. The Department of Agriculture has offered the use of their communications office to this agency. On a motion by Hurley and seconded by Banal and passed with all voting aye, the Board was designated as the advisory committee for the brucellosis contingency plan and the office of the Department of Agriculture communications director as the method of communications.

DISCUSSION ON STREET MARKETS

The Executive Secretary reported that since the July 12, 1985 meeting the staff has been in communication with street market operators and the market veterinarians explaining to them that they must get the markets into compliance. In addition, Dr. Pyle has mailed to all market operators and all market veterinarians a list of the responsibilities that each is to assume. Dr. Banal asked the Executive Secretary to prepare a form that would be filled out by the auction market veterinarian at each sale and sent to the Board office. Dr. Banal offered to assist in preparing this form. The Board instructed the Secretary to have the district veterinarians visit the street sales more often to assist and support the official veterinarian as well as showing the producers that the rules must be met.

STATUS OF PRV IN MINNESOTA

Dr. Mackey, Assistant Secretary of the Board, informed the Board members that there are now 318 infected herds quarantined in Minnesota, 120 since January 1, 1985, 16 of them being seedstock herds. He discussed with the Board the pending litigation against a Martin county producer who is accused of selling breeding stock without a PRV test. Dr. Mackey presented to the Board a survey of statistics of the 123 infected herds reported to the Board since January 1, 1985.

STATE FAIR

Mr. Delaney discussed with the Board the requirements for animals brought to the Minnesota State Fair. While he has no criticism of the requirements he feels that the papers and the animals should be inspected upon entry. Dr. Mackey, who acts as official veterinarian for the State Fair, responded that with the large number of animals coming into the Fair at various times of the day or night it is virtually impossible to inspect all of them upon entry. The inspection is done as soon as possible upon entry and immediately the following morning for those arriving overnight.

MEETING WITH MPPA

The Board met with the Executive Committee of the MPPA (Minnesota Pork Producers Association) at 1:30 p.m. on Friday, September 20, 1985. All Board members, the Executive Secretary and the Assistant Secretary were in attendance. The Executive Committee members of the MPPA present were, Larry Stevermer, President, Easton, Minnesota, Kent Holden, Vice-president,

Northfield, Minnesota, Howard Anderson, Clarement, Minnesota, Karl Johnson, Mankato, Minnesota, James Lewis, Welcome, Minnesota. Also present was Arno Moening, Dodge Center, Minnesota and Don Paulson, Albert Lea, Minnesota, Executive Director. Mr. Neeser asked for additions to the agenda as presented by the Board. There were none.

Dr. Mackey reported on the current status of PRV in Minnesota and discussed his survey of the herds infected since January 1, 1985. The effect of the present PRV rule and the status of the pilot projects in Iowa, Wisconsin and Illinois were discussed. The question of allowing the movement of swine between quarantined herds was brought up and a request for the Board to support and encourage the usage of vaccine was discussed. It was expressed that very little can be done on a statewide basis without a national program and that a program in Minnesota will be ineffective unless Iowa is doing the same thing.

The role of the veterinarian that is to be hired by the College of Veterinary Medicine and the role of the veterinarian being hired by the Board was discussed. It was suggested that the veterinarian working for the College would do more good working with veterinarians than with producers. The Board asked if it would be helpful if the Board conducted regional educational and informational meetings. The Executive Committee members felt that unless there is new information forthcoming that furthter meetings would not be helpful. It seemed to be the consensus at this meeting that this is not the time to change the rule and that it would be best to wait for the results of the pilot projects which are due in September of 1986. It was suggested that a variance to the rule may be possible rather than changing the rule. The Board informed the Committee members that a decision on the movement between quarantined herds would be made at the next meeting.

NEXT MEETING

The date of the next meeting is December 5, 1985 in the Board offices in St. Paul in the Department of Agriculture building at 9:30 a.m. The Minnesota Cattlemen's Association meeting will be held on the same date and the Executive Secretary will contact Mr. Reed Mason, Executive Secretary of the Minnesota State Cattlemen's Association to see if there are any reasons for having a joint meeting.

The motion was made to adjourn by Banal and seconded by Hurley and passed with all voting aye. The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

J Hagerty Jr

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF THURSDAY, DECEMBER 5, 1985

The Board of Animal Health held its fourth quarterly meeting of the year at 9:30 a.m. on Thursday, December 5, 1985 at the Board offices in the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minneosta 55107. All Board members, Mr. Kenneth E. Neeser, Dr. Henry Banal, Dr. Sharon I. Hurley, Mr. Herbert I. Halvorson and Mr. Jack G. Delaney were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF QUARTERLY MEETING

The Secretary informed the Board that the notice of the quarterly meeting had been published in the State Register on November 4th, 1985.

MINUTES OF THE SEPTEMBER 20, 1985 MEETING

Mr. Neeser declared the Minutes of the September 20, 1985 quarterly meeting approved as presented after hearing no additions or corrections.

APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Having heard no additions to or deletions from the Agenda, President Neeser declared the Agenda approved as presented.

MINNESOTA STATE CATTLEMEN'S ASSOCIATION ANNUAL MEETING

Mr. Delaney had suggested at the September 20th, 1985 meeting that the Executive Secretary contact Mr. Reid Mason of the Minnesota Beef Council and the Minnesota State Cattlemen's Association to see if there were any items for discussion between those groups and the Board. The Secretary said that in discussions with Mr. Mason, Mr. Mason suggested that if the Board had any legislation or resolutions that it wished to have considered that the Board should submit them prior to the Minnesota Cattlemen's Annual Convention on December 6 - 7th, 1985.

The Board, at its July 12, 1985 meeting had toured the Diagnostic Laboratory at the College of Veterinary Medicine, University of Minnesota, St. Paul, Minnesota and had visited with both Dr. Martin Bergeland, the Director of the Laboratory, and with Dr. Robert Dunlop, the Dean of the College. Following that discussion, the Board instructed the Secretary to draft a letter to be signed by the Board members and sent to the Board of Regents of the University of Minnesota requesting that they give high priority to the College of Veterinary Medicine's request for funding and improvement to the Diagnostic Laboratory at the College of Veterinary Medicine. This letter was signed by all Board members at this December 5th meeting and forwarded to each of the Regents of the University.

The Secretary also sent a letter to Mr. Mason asking that Mr. Delaney be allowed to present to the Minneosta Cattlemen's Association a resolution encouraging the Regents to put more emphasis on the necessary improvements at the Diagnostic Laboratory.

REPORT OF THE ADMINISTRATIVE LAW JUDGE ON THE HEARING ON PROPOSED CHANGES TO LSB 40 AND TO 3 MCAR § 2.015

Dr. George Keller, the Veterinarian in Charge of the Brucellosis, Tuberculosis and Paratuberculosis Division joined the meeting at this point to present the findings of Phyllis A. Rhea, Administrative Law Judge, on the proposed changes to LSB 40, Public Exhibition of Livestock and Poultry in Minnesota and to 3 MCAR § 2.015, Control of Bovine Paratuberculosis in Minnesota. Dr. Keller explained that the exhibition rule was accepted as proposed. He also explained that the paratuberculosis rule was accepted with the following exceptions:

1. Part 1705.0660 - "Demand for Tests"
2. Part 1705.0728 - "Approval of other Tests"

Dr. Keller will make the necessary corrections as suggested in the Administrative Law Judge's report and then present both LSB 40 and 3 MCAR § 2.015 to the Board at its next meeting for final approval.

The Secretary informed the Board that in making preparations to conduct the AGID test for paratuberculosis the Diagnostic Laboratory personnel had found that the necessary antigens were not presently licensed by USDA and could not be shipped across State lines. The Secretary will discuss this problem with the supplier of the antigen, Allied Laboratories, Inc. of Ames, Iowa, and with officials of USDA, APHIS, VS to find a solution to this problem. A motion was made by Halvorson and seconded by Delaney and passed with all voting aye that paratuberculosis antigen and antiserum are needed to conduct the AGID test and that these products are available from Allied Laboratories, Inc., Ames, Iowa, and that these products are not licensed for interstate shipment, the State of Minnesota, Board of Animal Health requests that Veterinary Services, USDA, permit Allied Laboratories, Inc. to ship these items to the Department of Veterinary Diagnostic Laboratories, College of Veterinary Medicine, University of Minnesota for the purpose of making the AGID tests for the Board and directs the Executive Secretary of the Board to contact the proper officials of USDA, APHIS, VS in regard to this matter and that this correspondence be copied to Senators David Durenberger and Rudy Boschwitz and Representatives Tim Penny and Arlan Stangeland who serve on the House Agriculture Committee.

The office of the Board of Animal Health will send a summary of LSB 40 to all County Fair Secretaries as well as the State Fair Secretary and all County Extension Agents as soon as the new rule is adopted. The veterinarians will be advised of the changes through the Newsletter.

RESPONSE TO MPPC IN REGARD TO PRV RULE

Dr. Mackey, Assistant State Veterinarian, discussed with the Board the results of a survey he had conducted of 35 veterinarians and others involved with pseudorabies regarding the movement of swine between quarantined herds. Twenty questionnaires had been returned, 16 said there should be no movement, and 4 said yes there should be movement allowed, although of those 4 several qualified their answers. Dr. Hagerty explained that he had visited with a number of the State Veterinarians at the Annual USAHA meeting in Milwaukee, Wisconsin in October, 1985 about this particular situation and that in general they felt that if our rule does not now allow such movement that we should stay with that. The Secretary also informed the Board that the state of Indiana which currently does allow such movement is considering stopping that practice as well as considering the testing of sow herds from which feeder pigs are sold. This is in response to Illinois' rule which will go into effect July 1, 1986 restricting the movement between quarantined herds and the fact that Ohio and Michigan are contemplating restricting the movement of feeder pigs from herds unless the sow herd is negative to pseudorabies. The Secretary also said that Wisconsin is also considering such a rule. The Secretary informed the Board that Iowa has prepared a plan for the eradication of pseudorabies projected to be completed in eight years at a projected cost of 15 million dollars. The Board decided that with this type of activity going on in other hog producing states that they would take no action on the request to consider allowing the movement of quarantined hogs and to wait until the pilot projects are completed in the fall of 1986. The Secretary informed the Board that he and Dr. Mackey would attend the joint LCI - NPPC meeting to be held in Peoria, Illinois on January 20 and 21st of 1986. The theme of this meeting is to be "where do we go when the pilot projects are finished." This is to be a meeting to bring together the leaders of the industry to discuss how the results of the pilot projects should be addressed.

DEPARTMENT OF FINANCE

The Secretary informed the Board that the Department of Finance had requested that the agency prepare a contingency plan to cut approximately $175,000 from the 1985 - 87 biennual budget. This could occur in the case of a revenue shortfall in the area of $950 million dollars. The Secretary

suggested that this $175,000 should be taken from the portion of the budget that does not include salaries and salary related items in order to avoid layoffs. In the event that such a shortfall does not occur the reductions in expenditure will be a lesser figure.

ANNUAL REPORT

The Annual Report waspresented by the Secretary and discussed by the Board and approved as presented.

LEGISLATIVE ACTIVITY

The Secretary reported that he had been in contact with the Chairman of the House Agriculture Committee, Representative K. J. McDonald, and was cooperating with that office on an economic survey of practicing veterinarians in an attempt to determine how the present situation in the agricultural economy was affecting the accounts receivable of ag related businesses. The purpose of this activity was to demonstrate that the veterinarian, with a certain amount of obligation to provide a service to the farmer, was finding it increasingly difficult to be paid for those services, and that a real danger existed in that the producer may become unable to purchase a legal level of health care for his livestock.

USAHA MEETING REPORT

The Secretary reported on the USAHA annual meeting held October 25th - November 1, 1985 in Milwaukee, Wisconsin. The Secretary was the only representative of the Board attending this meeting.

PRESENTATION OF AWARDS

The Secretary informed the Board that Mr. Bert W. Hawkins, Administrator of APHIS would be at the Board offices on Tuesday, December 10th, 1985 to present the APHIS Award to Dr. Jack G. Flint in recognitionfor his service in disease eradication programs during his tenure as State Veterinarian. Mr. Hawkins will also be presenting an Award to Dr. Benjamin S. Pomeroy for his efforts on the Task Force at the time of the Avian Influenza outbreak in Lancaster county Pennsylvania in 1983.

COMPUTER

The Board spent approximately one hour with Dr. Robert G. Pyle, Veterinarian in Charge of the Division of Markets and Imports and Mrs. Sandie Ives who have the responsibility of the Brucellosis Information System (BIS) with the APHIS sponsored computer network. Dr. Pyle and Mrs. Ives

explained to the Board the capabilities of the system. The BIS has been used by the Agency for several years. Now additional functions have been added. In addition to the Brucellosis Information System which the equipment was originally intended for, the import regulations of all of the states is now available on the computer. The Agency has also begun to enter all brucellosis vaccination information and has been testing that capability through its retrieval system.

VETERINARIAN SENIOR POSITION

The Secretary reported to the Board that eight applications have been received for the position of Veterinarian Senior, Swine, which had been advertised as a pseudorabies control coordinator. These applicants will be called in for interviews during the month of December and the Secretary will make a decision on the hiring of an individual with the intention of having that individual in place no later than March 1, 1986.

NEXT MEETING DATE

The Board agreed upon Friday, January 31, 1986 as the date of the first quarterly meeting for 1986. This meeting is to be held at 9:30 a.m. at the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. On a motion by Banal and seconded by Hurley with all voting aye, President Neeser declared the meeting be adjourned at 3:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, JANUARY 31, 1986

The Board of Animal Health held its first quarterly meeting of 1986 at 9:30 a.m. on Friday, January 31, 1986, at the Board offices in the Department of Agriculture Building at 90 W. Plato Blvd., St. Paul, Minnesota 55107. All Board members, Dr. Henry Banal, Mr. Jack G. Delaney, Mr. Herbert I. Halvorson, Dr. Sharon Hurley and Mr. Theodore G. Huisinga were present as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey. Mr. Huisinga was appointed to the Board effective January 17, 1986 to replace Mr. Ken Neeser, Board President, whose term had expired January 16, 1986. Mr. Halvorson, Vice-president of the Board, then became the Acting President and assumed the duties of conducting this meeting.

NOTICE OF QUARTERLY MEETING

The Secretary informed the Board that the Notice of this Quarterly Meeting had been published in the State Register on December 23rd, 1985.

MINUTES OF THE DECEMBER 5, 1985 QUARTERLY MEETING

Acting President Halvorson, after asking the Board for additions or corrections to the Minutes of the December 5, 1985 quarterly meeting and hearing none, declared the Minutes approved as presented.

APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

There being no additions to the Agenda, Mr. Halvorson declared the Agenda approved as presented.

ADOPTION OF THE RULE RELATING TO THE MOVEMENT OF CATTLE RETURNED TO MINNESOTA FROM PASTURE IN AN ADJACENT STATE PART 1700.0550

Dr. Robert G. Pyle, Veterinarian in Charge of the Division of Imports and Markets, joined the Board to review the rule designed to address the issue of the movement of cattle returning from pasture in an adjacent state. Dr. Pyle reported that since this rule was being promulgated without a Public Hearing it had been published in the State Register on November11, 1985 and the 30 day comment period was observed. No comments were received and as a result, the Board may move the resolution to adopt the rule at this meeting. After adopting the rule it must again be published in the State Register, and then becomes effective five days after the publication date. Following discussion by the Board of the contents of the proposal and the procedure for its adoption a motion was made by Hurley and seconded by Banal and passed with all voting that be it -

"RESOLVED, that the rule relating to Cattle Returned to Minnesota from Pasture Part 1700.0550 be and is hereby approved and adopted, pursuant to Authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. T. J. Hagerty Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting this rule and further is authorized to perform the necessary acts to provide that this rule shall have the force and effect of law."

CERTIFICATE OF INSPECTION

The discussion on the movement of cattle interstate prompted a discussion on the present health certificate and the proposed certificate of inspection. Dr. Mackey and Dr. Pyle explained that the staff was in the process of developing a new document to be called a "certificate of veterinary inspection" following the guidelines proposed by the USAHA and using examples of other states which have already adopted the new document. This will be made available to the Board when the final format is returned from the printer.

DR. JOHN ANDERSON - OFFICIAL VETERINARIAN OF THE ZUMBROTA LIVESTOCK AUCTION MARKET

Dr. John Anderson, official veterinarian at the Zumbrota Livestock Auction Market, came before the Board to ask for approval to continue using the card test for brucellosis at his laboratory. Dr. Anderson was granted approval on July 15, 1983 to use the card test in his laboratory on a trial basis for one year. This continued until September 20, 1985, when the Board took action to approve the use of the BAPA test as the brucellosis screening test for porcine and caprine serums at its official laboratory and to discontinue the use of the card test on bovine, porcine and caprine serums unless required for interstate or international shipment. Dr. Anderson's reason for wanting the card test was that he felt he could identify more accurately those animals which may show up as suspicious to brucellosis on supplemental tests performed at the Board's official brucellosis laboratory and he could send these animals to market or back to the farm of orgin rather than forward to the premises of destination.

Dr. Pyle explained that the card test is a screening test as is the BAPA test and that the standard plate test and the rivanol test are the supplemental tests used at the official laboratory. The rivanol test distinguishes more accurately than any of the other tests between infection and vaccinal titers. Dr. Pyle stated that during the time the card test was used in the laboratory there were many cases where the card test was positive and the rivanol test was negative. Statistics presented by both Dr. Pyle and Dr. Anderson showed that in 1983, '84 and first eight months of 1985 only about six (6) samples per year that were found negative on the BAPA at the

Zumbrota Livestock Auction Market were positive on the rivanol test therefore requiring quarantine and follow-up investigation. During the same period using the card test twice that number were positive. Because the rivanol is considered the more accurate test and since only six (6) animals per year over the past three years using this procedure would have required follow-up investigation the Board made the decision to continue at the present policy of not allowing the use of the card test at the livestock auction markets, and not using it at the official laboratory as a routine supplemental test.

ADOPTION OF PROPOSED AMENDMENT TO RULES OF THE STATE BOARD OF ANIMAL HEALTH GOVERNING CONTROL OF THE PUBLIC EXHIBITION OF LIVESTOCK AND POULTRY IN MINNESOTA PARTS 1715.0010 TO 1715.0190

Dr. George Keller, Veterinarian in Charge of the Brucellosis and Tuberculosis Division with responsibility for public exhibitions reported to the Board that proposed amendments to LSB 40 had been accepted as proposed by Judge Phyllis A. Rhea, Administrative Law Judge, and could not be adopted by the Board. On a motion by Hurley and seconded by Banal and passed with all voting aye the Board moved to adopt the resolution that -

> "RESOLVED, that the amendments to the rule relating to Public Exhibition of Livestock and Poultry in Minnesota, Parts 1715.0010 to 1715.0190 be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1978, Sec. 35.03 and that Dr. Tom Hagerty, the Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

ADOPTION OF PROPOSED AMENDMENT TO THE RULES OF THE STATE BOARD OF ANIMAL HEALTH GOVERNING CONTROL OF BOVINE PARATUBERCULOSIS IN MINNESOTA 3 MCAR 2.015 PARTS 1705.0040 TO 1705.0830

Dr. Keller informed the Board that he had made the necessary corrections to 3 MCAR 2.015 as requested by Administrative Law Judge, Phyllis A. Rhea. The first part is part 1705.0660 - demand for tests. Dr. Keller recommended that the sentence "The Board may demand tests of cattle or herds suspected of being infected with or exposed to paratuberculosis when necessary to protect other cattle from infection" be dropped from the proposed rule. Second - part 1705.0728, Dr. Keller recommends that the following language be used. "The Board may approve only the recognized laboratory tests for use in certifying and recertifying paratuberculosis free herds." Following discussion on this item Banal moved and Hurley seconded with all voting aye that be it resolved that -

"RESOLVED, that the amendments to the rule relating to Bovine Paratuberculosis Control in Minnesota, Parts 1705.0640 to 1705.0830 be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 1978, Sec. 35.03 and that following submission to, and approved by, the Chief Administrative Law Judge, Dr. Tom Hagerty, the Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

DEPARTMENT OF FINANCE - BUDGETARY REDUCTIONS

The Secretary reported that the Board was informed by the Department of Finance that the Budget would be reduced an additional $29,000. This is in addition to the $175,000 reduction of December, 1985 bringing the total reduction for the biennium to $204,000. In order to avoid layoffs this amount must be taken from approximately $750,000 in the biennual budget which is not related to salary or salary related items. The Secretary said that he had instituted a hiring freeze and that the search for the Pseudorabies Control Coordinator position would be suspended until such time as these funds become available.

REPORT OF THE MINNESOTA PORK PRODUCERS ASSOCIATION ANNUAL MEETING

The Secretary reported that he had attended the MPPA Annual Meeting including the business meeting and presented to the Board the resolutions that had been passed at that meeting. The motions relative to pseudorabies deal primarily with encouraging the use of vaccine and requesting the Board that they allow movement of swine between quarantined herds.

Because the use of a variance had been suggested at the business meeting to the Secretary, Mr. Jon Murphy, Special Assistant Attorney General, was asked to explain to the Board members what this type of action would constitute. Mr. Murphy explained that rules must be promulgated to allow for the use of a variance and the conditions which must be met must be clearly defined in the rule. In the case of movement of swine between quarantined herds Mr. Murphy informed the Board that this constitutes an amendment to the rule rather than a variance and must be handled as such.

The Board discussed the contents of the resolutions and determined that with the results of the 1984 USDA survey of slaughter hogs showing that Minnesota had a 10 per cent pseudorabies infection rate and therefore a 90 per cent clean rate and that the responsibility of the Board was to protect the health of those animals not infected as well as concern for other species of livestock to which the pseudorabies virus is deadly, that they would make no change in the rule nor variance thereof.

REPORT OF THE LIVESTOCK CONSERVATION INSTITUTE - NATIONAL PORK PRODUCERS COUNCIL MEETING AT PEORIA, ILLINOIS ON JANUARY 20th AND 21st, 1986

Drs. Hagerty and Mackey reported to the Board that they had attended the Pseudorabies Symposium, "Following up on the pilot projects", sponsored by NPPC, LCI, American Association of Swine Practitioners, American Farm Bureau Federation, American Association of Swine Records, National Feeder Pig Marketing Association, Pork Action Group, and USDA in Peoria, Illinois on January 20 and 21, 1986. The first day was devoted to reports on the five pilot projects and a review of what the various states are doing in dealing with the disease. The second day involved testimony from 38 individuals who had asked to speak on the disease and the regulations. The majority of these speakers were producers. All of the speakers were asked to direct their remarks to the courses of action they see as being available to them. The Secretary advised the Board that proceedings of this meeting and a recommended course of action would be available in about six weeks. The Secretary felt that the results of this meeting would determine the long range planning for the future of control or eradication of pseudorabies.

DATE OF NEXT MEETING

The next meeting will be held at 9:30 a.m. on Friday, April 11, 1986, at the Board offices at 90 W. Plato Blvd., St. Paul, 55107. On a motion by Hurley and seconded by Banal and passed with all voting aye, the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, APRIL 11, 1986

The second quarterly meeting of the Minnesota Board of Animal Health for 1986 was held on Friday, April 11, 1986 at the Board offices in the Department of Agriculture Building at 90 W. Plato Blvd., St. Paul, Minnesota 55107 at 9:30 a.m.

All Board members Dr. Henry Banal, Mr. Jack G. Delaney, Mr. Herbert I. Halvorson, Dr. Sharon Hurley, and Mr. Theodore G. Huisinga were present as was Dr. T. J. Hagerty, Executive Secretary and Dr. Walter J. Mackey, Assistant Secretary. As this was the annual reorganizational meeting the Executive Secretary called the meeting to order and Chaired the meeting until a President was elected.

NOTICE OF MEETING

The Secretary said that the notice of the meeting had been published in the State Register on February 24, 1986.

ELECTION OF OFFICERS

A motion was made by Delaney and seconded by Banal to nominate Mr. Halvorson for the position of President and that nominations cease and a unanimous ballot be cast for Mr. Halvorson. The motion passed with all voting aye. Mr. Halvorson then assumed the Chair for the remainder of the meeting.

A motion was made by Banal and seconded by Huisinga to nominate Hurley for the position of Vice-president. All voted aye and the motion passed. Mr. Delaney moved that nominations cease and a unanimous ballot be cast for Vice-president. The motion was seconded, all voted aye, the motion passed, and Hurley was declared Vice-president.

MINUTES OF THE JANUARY 31, 1986 MEETING

President Halvorson asked for corrections or additions to the Minutes of the January 31, 1986 meeting and hearing none, declared the Minutes approved as presented.

APPROVAL OF AGENDA

The Agenda was approved as presented with the following additions: 1) Review the Certificate of Inspection, 2) Discuss animals imported for exhibition and placed under brucellosis quarantine, 3) Brucellosis reactors discovered in Minnesota, and 4) Genetically engineered PRV vaccine.

PSEUDORABIES UPDATE

Dr. Mackey reported on the present status of PRV in Minnesota and discussed the Jury Panel Report

resulting from the industry wide meeting sponsored by NPPC, LCI and others held in Peoria, Illinois, January 20 - 21, 1986.

Dr. Mackey reported on the Pseudorabies Training Course at NVSL, Ames, Iowa that he had attended on March 25 -29, 1986. This course was sponsored by the United States Department of Agriculture (USDA) and is designed to help State and Federal regulatory officials keep abreast of the latest information on this disease and the efforts to control it. Dr. Mackey reported on the "Latex test", an eight (8) minute test soon to be licensed by USDA, and how it might be used in Minnesota. Dr. Mackey also discussed the economic studies being developed by Dr. Arne Hallam of the Department of Economics, Iowa State University, relating to the cost of living with the disease versus the cost of cleanup in the pilot project in Iowa.

Dr. Hagerty reported on the progress of the five (5) pilot projects and provided a comparison of PRV regulations in the pork producing states.

Mr. Halvorson, Dr. Hurley and Dr. Hagerty reported on a meeting held with five (5) food animal practicing veterinarians at New Ulm on March 11, 1986. This meeting was held to discuss the impact of the PRV rule and these practitioners' experience with it.

1986 LEGISLATIVE SESSION REPORT

The Secretary reported on three principal activities affecting the agency in the recent Legislative session. First, the Board must absorb at $93,600.00 budget reduction for the biennium. Secondly, a priority lien for emergency veterinary services was passed and signed by the Governor and lastly, hearings were held on legislation which would repeal pound seizure. The pound seizure legislation did not reach the floor of both houses and therefore was not acted upon.

REPORT ON 1986 LIVESTOCK CONSERVATION INSTITUTE MEETING IN OMAHA, NEBRASKA

The Secretary reported on the Regional USAHA meeting and the LCI meeting held on April 8 - 10, 1986 in Omaha, Nebraska. This meeting dealt with a number of issues including animal identification, movement of cattle from brucellosis classified B and C states, drug residues, and the current status of pseudorabies. Of particular interest was a discussion on a recently licensed genetically engineered PRV vaccine.

CERTIFICATE OF VETERINARY INSPECTION

Dr. Macky provided the Board members with copies of the revised health certificate which will be known as a "Certificate of Veterinary Inspection", and pointed out the changes in it and the reasons

for making them. The title has been changed, it includes a statement denying any implied warranty, and it provides a place for the owner/agent to sign resulting in shared responsibility for the information on the document between the owner/agent and the accredited veterinarian.

IMPORT REGULATIONS/EXHIBITION OF CATTLE

Mr. Delaney inquired on the handling of the "paperwork" on imported animals for the purpose of exhibition which then go on to exhibition in other states. The Secretary explained that the office does not have a procedure for cross referencing imports and exports and may not be able to until this can be computerized. The Secretary referred Mr. Delaney to Dr. Robert G. Pyle, Veterinarian in Charge of Imports and Markets.

BRUCELLOSIS REACTORS DIAGNOSED IN MINNESOTA

The Secretary informed the Board that eight (8) brucellosis reactors had been diagnosed recently in a beef herd in Freeborn county. These were two (2) year old females in a herd of 45 cows which had been imported from Missouri in March of 1985 and had been experiencing abortions in their second pregnancies. The epidemiology has been completed and an appraisal of the herd has been started by the district veterinarian. These are the first brucellosis reactors to be found in Minnesota since October of 1983. In order for the State to retain its USDA brucellosis free status the agency must depopulate any exposed animals as well as the reactors. The State, by Law, must pay indemnity. USDA will pay $50.00 per animal, infected or exposed, and the State will pay the difference between the appraised value and the slaughter price less the Federal indemnity of $50.00 to a maximum of $250.00 per exposed animal.

REPORT ON GENETICALLY ENGINEERED VACCINE

The Secretary discussed with the Board a new PRV vaccine licensed in January of 1986 by USDA. This product is the result of a new technology employing a gene deletion process known as "genetic engineering." This vaccine has the trade name of "Omnivac" and is being distributed by Tech America Group, Inc. The vaccine has been developed by Biologics Corporation of Omaha, Nebraska, a division of Tech America. The Secretary stated that there are several more "genetically engineered" vaccines waiting for licensing. Along with the new vaccines are new tests which have been devised to compliment these vaccines, and when fully developed will have the capability of differentiating between field infection and vaccinal titers.

EXECUTIVE SECRETARY 1986 - 87

The Board discussed the annual hiring of the Executive Secretary. It was stated that the Secretary

has been very active in meeting with the livestock industry and the Legislature and has been well accepted.

It was moved by Banal and seconded by Delaney that Dr. T. J. Hagerty be rehired as Executive Secretary for the 1986 - 87 year. The motion passed with all voting aye. Hurley moved and Banal seconded that the salary of the Executive Secretary be set at $51,799.00, a 6.29 per cent increase which is the maximum allowable for FY '87. Banal, Halvorson, Hurley, and Huisinga voted aye, Delaney abstained and the motion passed.

DATE OF NEXT MEETING

The Board reviewed a letter received from Mr. Jim Lewis, Chairman of the Swine Health and Research Committee of the Minnesota Pork Producers Association (MPPA) relating to the Jury Panel Report of the Peoria meeting and concern over the present PRV rule in Minnesota. Mr. Halvorson instructed the Secretary to contact Mr. Kent Holden, President of the MPPA to arrange a meeting with him and Mr. Lewis to discuss the Board's position on the present PRV rule. This meeting is set for Friday, June 13, 1986 at 9:30 a.m. at the Holiday Inn at New Ulm, Minnesota.

The meeting was declared adjourned by the Chairman at 4:20 p.m.

Respectfully submitted,

T Hagerty

Secretary

MINUTES OF A SPECIAL MEETING ON FRIDAY, JUNE 13, 1986

The Board of Animal Health held a special meeting at 9:30 a.m. Friday, June 13, 1986, at the Holiday Inn in New Ulm, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Dr. Henry Banal, Mr. Jack G. Delaney, and Mr. Theordore G. Huisinga were present, as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF SPECIAL MEETING

The Secretary informed the Board that the notice of the special meeting had been published in the State Register on April 28, 1986.

APPROVAL OF APRIL 11, 1986 MINUTES

Following a brief discussion and hearing no additions or corrections of the minutes of the April 11, 1986, meeting, Mr. Halvorson declared the minutes approved as presented.

APPROVAL OF AGENDA

Mr. Halvorson declared the agenda approved with the following additions:

1. Dr. Banal will discuss an upcoming meeting of the Stearns County Pork Producers.
2. Mr. Delaney will report on discussions with members of the Minnesota Pork Producers Association.
3. Dr. Mackey will brief the Board on the present status of pseudorabies in the state.

PRESENT STATUS OF PRV IN MINNESOTA

Dr. Mackey reported that there are presently 345 swine herds under quarantine for pseudorabies, 39 herds having been placed under quarantine since January 1, 1986.

Mr. Delaney stated that in his discussion with several members of the MPPA executive board that they felt the quarantine was a greater problem to them than the disease itself. Dr. Hagerty stated that he and Dr. Mackey were conducting a survey of 38 pseudorabies quarantined herds in counties peripheral to the most concentrated pseudorabies area. The District Veterinarians have been instructed to test a statistical sample of the breeding stock and finishing hogs on the farms of those who agree to cooperate on a voluntary basis. The data developed from this testing will be used to help determine the future costs of surveillance and cleanup of the disease in Minne-

sota.

Dr. Banal reported that the Stearns County Pork Producers were meeting on Thursday, June 19, 1986, in Albany, Minnesota, and had invited their legislators and Dr. Hagerty to the meeting to discuss the possibility of declaring Stearns County a pseudorabies free area. Dr. Banal will attend, as will Dr. Leo Zehrer, District Veterinarian for Stearns County.

Mr. Halvorson suggested the possibility of having the next Board meeting in Stearns or Kandiyohi counties and inviting representatives of the dairy, beef, and sheep producers as well as pork producers to the meeting.

MEETING WITH REPRESENTATIVES OF THE MPPA

At 10:30 a.m. the Board met with Mr. Kent Holden, President of the Minnesota Pork Producers Association, and Mr. Jim Lewis, Chairman of the Swine Health and Research Committee of the MPPA. Doctors Al Leman and Bob Morrisson of the College of Veterinary Medicine, University of Minnesota, were also present. Dr. Robert Martens of Nicollet, Minnesota, a private practitioner and Chairman of the PRV Advisory Committee, was present.

Mr. Halvorson welcomed these individuals to the meeting and asked Mr. Holden for opening remarks. Mr. Holden told the Board that their main issue was to address the MPPA resolution regarding the movement of swine between quarantined herds. Mr. Lewis asked the Board if they agreed or disagreed with the idea of movement between quarantined herds. Mr. Halvorson asked what the position of the seedstock producers was on this question. Mr. Lewis said it appeared they were split on the issue. Mr. Holden suggested that movement should be based on a permit basis only. Dr. Martens recommended the following--that moving positive animals into another herd could reinfect a herd that might actually be clean or may precipitate an acute outbreak in a recovering herd.

Dr. Leman suggested that the Board consider reactivating the pseudorabies advisory committee, approve the MPPA request for movement between quarantined herds, accept and approve the use of the "Latex test", and go forward with the survey of the quarantined herds.

Dr. Martens said he agreed it may be good to reactivate the advisory committee and if movement were to be allowed the permit should be issued by the Board which should decide where and when to allow such movement.

Mr. Holden and Mr. Lewis questioned whether an advisory committee would be very effective, and stated that it may delay making any decisions.

The Board broke for lunch at 12:30 p.m. and invited all guests to stay for the discussion by the Board after lunch. All guests declined to stay.

At 2:00 p.m. the Board reconvened to discuss the request of Mr. Holden and Mr. Lewis. After discussing the matter for 45 minutes Mr. Delaney moved to call a public hearing on a proposed rule change regarding the movement of swine between quarantined herds. Dr. Hurley seconded the motion. The Board discussed whether the rule change should be restrictive or very loose. They expressed concern that the latter may not survive a public hearing. The preference was for a somewhat restrictive permit-based movement rule. All then voted aye.

NEXT MEETING

The Board chose to hold the next meeting on Friday, September 5, 1986, at Paynesville, Minnesota, and to invite all livestock interests to that meeting.

The meeting was adjourned on a motion by Hurley and seconded by Delaney.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, SEPTEMBER 5, 1986

The Board of Animal Health held its third quarterly meeting of 1986 at 9:30 a.m. on Friday, September 5, 1986 at the Hilltop Restaurant in Paynesville, Minnesota. All Board members Dr. Henry L. Banal, Dr. Sharon I. Hurley, Mr. Herbert I. Halvorson, Mr. Jack G. Delaney, and Mr. Theodore G. Huisinga were present as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF QUARTERLY MEETING

The Secretary informed the Board that the Notice of Quarterly Meeting had been published in the State Register on Monday, August 11, 1986. Mr. Halvorson, President of the Board, asked for a discussion of the Minutes of the June 13, 1986 meeting. Hearing no corrections or additions, Mr. Halvorson declared the Minutes of the June 13, 1986 meeting approved as presented.

APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Mr. Halvorson asked if there were any additions to the agenda as presented. Mr. Huisinga asked that time be granted to Mr. Harlin Hecht of Paynesville, Minnesota to discuss with the Board a concern he has on anaplasmosis. Mr. Halvorson requested that the Board hold an Executive Session at the end of the meeting. These two items were then added to the agenda. Mr. Halvorson and Mr. Delaney asked that the United States Animal Health Association (USAHA) meeting attendance be discussed. Banal moved and Hurley seconded a motion to approve the agenda as amended. The motion passed with all voting aye.

PROPOSED CHANGES TO PSEUDORABIES RULE 1705.2400 - 1705.2530

Dr. Mackey reported to the Board on what is happening on pseudorabies control on a national level and reported that the pilot projects were nearing completion and that the funding for these would end September 30, 1986. He also discussed with the Board how other states in the upper Midwest were moving on pseudorabies control. A discussion on the proposed changes followed. The movement of breeding swine between quarantined herds and the suggested restrictions were discussed. It was suggested that swine under quarantine be tested and only the test negative animals be allowed to move to another quarantined premises. Positive animals would have to remain on the premises or be sent to slaughter or as the present rules allow movement to another premises which would then become quarantined. It was also proposed that there be a single negative herd test for release of quarantine rather than two tests 30 days apart as the present rule requires. The rule would also allow for move-

ment of quarantined swine in the case of a catastrophic loss, which is defined as the loss of facilities or loss of the health of the owner/operator.

Dr. Banal had requested a discussion on the use of the hole punch as a means of identifying feeder pigs that have gone through a concentration point. Dr. Leo Zehrer of Brooten, a district veterinarian with the Board of Animal Health, was in attendance at the meeting and asked to be heard on the identification issue. He suggested that the Board consider an eartag identification system for all feeder pigs that would identify the pigs to the farm of origin. He suggested that these pigs then move under an annual permit. The Board expressed an interest in his idea and after considerable discussion tabled it for later discussion.

The Board members had received material from the office on the results of the pseudorabies screen survey which had recently been completed and also had received information on a method for providing for a feeder pig monitoring system and a method for designating a pseudorabies free area. Due to time constraints these issues were not discussed.

APPROVAL OF THE LATEX AGGLUTINATION TEST AS AN OFFICIAL TEST FOR PSEUDORABIES

A motion was made by Hurley and seconded by Banal and passed with all voting aye to approve the use of the Latex aggulutination test as an official test for pseudorabies. In discussing this particular test Dr. Hurley requested and the Board concurred that the Secretary limit the use of this test to an approved Diagnostic Laboratory or to the district veterinarians to be used as a diagnostic tool.

PROPOSED RULE CHANGE FOR THE IMPORTATION OF FEEDING HEIFERS FROM B AND C STATES

Dr. Hagerty reported to the Board that at a recent meeting of Chief Regulatory Officials of 18 cattle producing states there was considerable discussion on the movement of feeding heifers from states that still have high levels of brucellosis. Following two days of meetings on this issue, it was agreed that the Free and A states would propose that all feeding heifers from B and C states be either F branded or spayed and identified with a Spade brand prior to importation to the Free or A state. All such states plan to adopt this requirements by July, 1987.

VETERINARY POSITIONS AVAILABLE WITH THE AGENCY

Dr. Hagerty reported to the Board that the office is presently advertising for a Veterinarian to supervise the Poultry Testing Laboratory at Willmar. The present supervisor has indicated his intention to retire March 1st, 1987. Dr. Hagerty reported that the search for a Veterinarian to

assume the rule of Pseudorabies Coordinator has been resumed. This search had been put on hold at the time of Budget constraints early in '86. In fiscal year 1987 the Budget will allow that this position be filled.

ORNITHOSIS IN TURKEYS

Ornithosis has been diagnosed in three meat bird turkey flocks in the Litchfield - Grove City area. This has resulted in high mortality rates and increased condemnation rates in these three flocks. Thirty-four employees of the Swift - Echrich plant in Marshall, Minnesota, and 17 employees of the Jennie-O plant in Willmar, Minnesota have been reported ill. This is the first reported case of high virulent ornithosis in Minnesota in the past 50 years. The Board is working in conjunction with the Public Health and poultry veterinarians at the University of Minnesota's College of Veterinary Medicine, the Department of Health, the Minnesota Turkey Growers Association, the Food Safety Inspection Service of USDA, and with the industry, ie., managers of turkey processing plants, farm managers, and industry representatives. The Board's role in this activity is to identify the premises with infected birds. The office has authorized serological sampling in an epidemiological survey of all market birds that are ready for slaughter in a six mile radius of the affected flocks. These samples are being submitted to NVSL at Ames, Iowa for testing. Results are not available at this time.

1987 - 1989 BIENNIAL BUDGET - AGENCY BASE REVIEWS

The Secretary reported that the Biennial Budget request is being prepared and that the Department of Finance has requested a narrative justifying the existence of the Agency as an independent unit. This will be prepared and presented to the Department of Finance.

UNITED STATES ANIMAL HEALTH ASSOCIATION (USAHA) ANNUAL MEETING

The Secretary informed the Board that the USAHA meeting would be held October 20 through October 25, 1986 at the Executive West Hotel in Louisville, Kentucky. Traditionally the Executive Secretary and one Board member have attended this meeting. Mr. Halvorson instructed the Secretary to provide Mr. Delaney with information pertaining to the meeting.

MEETING WITH PRODUCERS REGARDING PSEUDORABIES RULE CHANGES

The following individuals met with the Board at 1:00 p.m. to discuss items relating to pseudorabies. Senator Joe Bertram of Paynesville, Minnesota, Representative Sylvester Uphus of Sauk Centre, Minnesota, Don Paulson of the Minnesota Pork Producers Association, Ron Westrich, Morrison

county pork producer and a member of the Minnesota Pork Producers Associations' Swine Health and Research Committee, Vern Frericks and Duane Ostendorf of the Stearns County Pork Producers Association, Ken Kulzer, Melrose, Minnesota - President of the Stearns County Holstein Association, Melvin Kuntsleben, Paynesville, Minnesota - President of the Stearns County Dairy Herd Improvement Association, Dale Melin and Kevin Winter of Melin Feeder Pig and Northern States Feeder Pig respectively of Sauk Centre, Harlan Hecht, cattle producer from Paynesville, and Dr. Tony Zehrer, District Veterinarian, responsible for the Stearns county area.

The main purpose of this meeting was to meet with the livestock producers of the central part of the State where large numbers of cattle, hogs and sheep are raised and where there is very little pseudorabies. The northern two-thirds of the State produces a large number of feeder pigs, many of which are exported out of state. The feeder pig producers are becoming concerned about protecting their out of state markets, especially since Illinois and Wisconsin have restrictions on imports of feeder pigs, allowing only those from "monitored" herds to enter the state. Consequently, the Board wished to discuss with the producer representatives the possibility of establishing a low prevelance pseudorabies area, the establishment of monitored feeder pig herds, and to discuss with cattle and sheep producers the danger to those species by infected hogs.

Senator Bertram and Representative Uphus expressed their appreciation to the Board for holding this meeting in Paynesville and making themselves available to the producers. Senator Bertram explained that he sits on the Senate Agriculture and Natural Resources Committee and Chairs the Subcommittee on Agriculture and will provide whatever help he can to the producers. He reminded the audience that it was important for the producers to be in agreement on any proposal before bringing it to the Legislature. Mr. Vern Frericks and Mr. Duane Ostendorf, indicated to the Board that they were very anxious to get things moving to provide for pseudorabies monitored herds in order to protect their markets. They also indicated that they felt some breeding stock were being sold without pseudorabies tests. In order to protect themselves, they felt that the Board should be checking to prevent such illegal movements. They believe that a mandatory feeder pig monitoring system would be superior to a voluntary program. One of the feeder pig buyers in attendance indicated that he would be willing to pay an additional $1.00 per head at his place of business for pseudorabies monitored feeder pigs. The Stearns county Dairy Herd Improvement Association Director in attendance indicated that protection of the cattle herds from pseudorabies was a priority with them.

Representative Uphus suggested the possibility of a pilot project that would identify six counties in central Minnesota that provide a large portion of the feeder pigs for the three major feeder pig purchasers in the Stearns county area. He suggested a mandatory pseudorabies monitoring program in that area and suggested that the Board approach the Legislature for funding for such a program. The Board discussed with those in attendance the herd identification proposal put forth by Dr. Zehrer earlier in the meeting. Representative Uphus explained that state funds might be available for a pilot project that would include monitoring and herd identification. The President requested that the Executive Secretary draw up a proposal for a pilot project with the options of a mandatory program versus a voluntary program and present this information at the next Board meeting.

NEXT QUARTERLY BOARD MEETING

The Board will meeting in its fourth quarterly Board meeting of the year on Friday, November 7, 1986 at the Board office at the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota at 9:30 a.m.

EXECUTIVE SESSION MEETING

The President called an Executive Session of the Board. Mr. Delaney wished to discuss the question of how Fair Boards go about hiring an official veterinarian. Mr. Delaney reported an incident that created some concern among exhibitors at the Minnesota State Fair this past August, 1986. The Board agreed that the official veterinarian is charged with the responsibility of carrying out the rules of the Board and that who the exhibition management chose to perform that service was the decision of that management provided that the veterinarian was a licensed and accredited veterinarian and acceptable to the Board. The Board felt that this question was one which should be directed to the Fair management. Mr. Delaney agreed and a motion was then made by Hurley and seconded by Banal and passed with all voting aye to adjourn.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF FRIDAY, NOVEMBER 7, 1986

The Board of Animal Health held a quarterly meeting at 9:30 a.m., Friday, November 7, 1986, at the Board offices at 90 W. Plato B.vd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, and Mr. Theodore G. Huisinga were present, as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey. Dr. Henry Banal was abesent.

NOTICE OF QUARTERLY MEETING

The Secretary reported that the Notice of the quarterly Meeting had been printed in the State Register on Monday, September 22, 1986.

APPROVAL OF SEPTEMBER 5, 1986 MINUTES

President Halvorson asked for corrections or additions to the Minutes of the September 5, 1986 meeting and hearing none declared the Minutes approved as presented.

APPROVAL OF THE AGENDA

Mr. Halvorson asked for additons to or discussion of the agenda and hearing none declared the agenda approved.

INTRODUCTION OF PSEUDORABIES COORDINATOR

The Executive Secretary introduced Dr. John Landman of Blue Earth, Minnesota, presently serving as a district veterinarian to the Board, as the newly named pseudorabies coordinator.

PROPOSED RABIES RULE CHANGE

The Executive Secretary introduced Dr. Keith Friendshuh to the Board. Dr. Friendshuh is responsible for the Division of Pultry and Miscellaneous Diseases which includes rabies. Dr. Friendshuh introduced three visitors to the Board. Dr. Craig Hedberg from the Minnesota Department of Health, Dr.Ron Kuecker, Chairman of the MVMA Drug and Supply Committee, and Dr. Stanley Diesch, College of Veterinary Medicine and member of the MVMA Public Health Committee came before the Board to discuss the proposed changes to the rabies rule.

Dr. Friendshuh opend the discussion by explaining the purpose of the rabies rule and identifying the changes that are being proposed. At the present time only modified live virus rabies vaccine is controlled by the Board. The Board has no control over the use of killed rabies vaccine. Legislation was enacted in the 1985 session of the Legislature which states that "an owner or custodian of a dog which does not have an approrpriate anti-rabies vaccination and which bits or otherwise exposes a

person to rabies virus may be guility of a petty misdemeanor." The defintion of "vaccinated" applies only to animals that have been vaccined with an approved vaccine by a licensed veterinarian. Therefore, the rule is proposed to be changed to include all rabies vaccines which would be administered by or under the direct supervision of a veterinarian. In addition, the Compendium and the word supervision are defined. A recommendation for vaccination immediately after exposure is also included in the rule.

The question was asked how many dogs are presenting being vaccinated. It was generally agreed that approximately 50 per cent of all dogs are vaccinated for rabies. The next question was asked if more or less would be vaccinated if only veterinarians were allowed to do the vaccinating. The consensus was that more would be vaccinated. Dr. Hedberg was concerned that there may be inappropriate use of the vaccines without further control. He was concerned about its being used in animals for which it is not approved and also the possibility of humans using it themselves. Dr. Diesch related that there had been no human deaths due to rabies in Minnesota in over ten years. He suggested that this may be due to public awareness of the disease and the fact that so many dogs are now vaccinated. Dr. Kuecker said that perhaps the most important reason for all dogs to be vaccinated by veterinarians is because the veterinarian must keep records on those animals that are vaccinated and must sign his name to all vaccination certificates. There was a discussion on the effectiveness of the vaccine and the site of injection and the importance of handling the vaccine properly and administering it correctly. It was felt that the veterinarian provides a great deal of service for the seven to ten dollars that is normally charged for the rabies vaccination. Dr. Diesch reminded everyone that many municipalities require vaccination for licensing of their pet. After further discussion a motion was made by Huisinga and seconded by Hurley and passed with all voting aye to instruct the Board staff to prepare the proposed rabies rule changes for public hearing.

DISCUSSION ON PRESENT STATUS OF PSEUDORABIES IN MINNESOTA AND IN THE US

Mr. Halvorson reported that he, along with Dr. Hagerty and Dr. Mackey, had attended the annual United States Animal Health Association meeting in Louisville, Kentucky on October 20 - 24, 1986. He related that there had been significant discussion on pseudorabies and that the PRV Committee had gone on record as unanimously approving the proposed "seventh draft" of the PRV control/eradication plan offered by the NPPC, APHIS, LCI and others.

Dr. Mackey introduced Mr. Neil Black, President of the Livestock Conservation Institute (LCI), Dr. David Thawley, Chairman of the Large Animal Clinical Sciences Department of the College

of Veterinary Medicine, University of Minnesota, Dr. Robert Morrison, and Dr. Paul Anderson both involved in pseudorabies research at the College of Veterinary Medicine, University of Minnesota. These guests came before the Board to discuss the industry sponsored seventh draft of the pseudorabies control/eradication plan being distributed by the National Pork Producers Council (NPPC) to their membership for review and comment. Mr. Black reviewed for the Board the status of pseudorabies in the hog producing states throughout the Midwest. He discussed Illinois, Iowa, Indiana, Nebraska, Wisconsin, Missouri, and Minnesota in respect to where these states were in the control of pseudorabies. Mr. Black suggested that it would be advisable for the Board to call the adhoc pseudorabies advisory committee together to discuss the seventh draft. Dr. Thawley, a noted pseudorabies researcher at the University of Missouri for the past nine years, discussed with the Board the significance of the disease and the importance of control measures from a standpoint of interstate and international movement of hogs. He related his experience with very large herds in North Carolina and the failure of vaccine to prevent spread of the disease in these herds. He suggested that the Board should be very careful to follow the Code of Federal Regulations (CFR) on the controlled vaccinted herd plans. He suggested that the State may be responsible if a particular herd were found to not be in compliance with Federal regulations. Dr. Robert Morrison and Dr. Paul Anderson of the University discussed the various cleanup procedures that are available to producers and reported on the part they will play in the screening survey of quarantined herds to be undertaken by the Board in cooperation with the University in the PRV endemic area.

Commissioner of Agriculture Jim Nichols joined the meeting to meet the Board members and guests. Mr Nichols reported on the efforts of the Department in negotiating with the People's Republic of China in exportation of dairy cattle. He agreed to a suggestion by Mr. Halvorson to meet with the Board at a later date to discuss export matters.

DISCUSSION OF ADVISORY COMMITTEE FOR PSEUDORABIES

The Board discussed calling the advisory committee together. The Executive Secretary reminded the Board that the advisory committee still stood and that the staff would contact each organization that had representatives on the committee and ask them to again name representatives and advise them of a meeting date. The Board members discussed the swine producers membership in the advisory committee and instructed the Secretary to inform the Minnesota Pork Producers' Association that the Board wanted two feeder pig producers, two farrow to finish produers, two

finishers, one F_1 producer and two seedstock producers to be on the committee. A motion was made by Mr. Delaney and seconded by Hurley and passed with all voting aye to call for a meeting of the advisory committee.

PROPOSED IMPORT RULE CHANGES FOR FEEDING HEIFERS FROM B & C STATES

The Board discussed the advisability of restricting heifers from B and C states and instructed the Secretary to prepare rule changes for the importing of feeding heifers from B and C states.

BOARD OF ANIMAL HEALTH MEMBER APPLICATIONS

The Secretary reminded the Board members that applications are due for any persons wanting to apply to the Board on November 25, 1986. Mr. Halvorson's and Mr. Delaney's terms expire January 1, 1987.

STAFF POSITIONS OPEN

The Secretary reported to the Board that he was advertising for a District Veterinarian to fill Dr. Landman's district and for a veterinarian to fill the Laboratory Supervisor's position at the Willmar laboratory. Dr. Ausherman, presently supervisior of the laboratory, will retire March 1, 1987.

APPROVAL OF THE ANNUAL REPORT

The Executive Secretary discussed with the Board the annual report. A motion to approve the report was made by Huisinga and seconded by Hurley and passed with all voting aye.

APPROVAL OF BIENNIAL BUDGET REQUEST

The Secretary reviewed with the Board the budget request for the next biennium. A motion was made by Hurley and seconded by Delaney and passed with all voting aye to approve the biennial budget request.

MEETING WITH COMMISSIONER OF AGRICULTURE

Mr. Halvorson had suggested that the Board invite Commissioner Nichols to a meeting of the Board to discuss items of common concern. The movement of cattle in international export and specifically to the People's Republic of China is of particular importance at this time. The Department is encouraging the exporting of Dairy Herd Buyout cattle. It was agreed that the Board would meet on November 13, 1986 in the Board offices with Commissioner Nichols and other members of his department.

DATE AND LOCATION OF NEXT MEETING

The next meeting of the Board of Animal Health will be held on February 27, 1987 in the Board

offices at 9:30 a.m. at 90 W. Plato Blvd., St. Paul, Minnesota.

The meeting was adjourned at 4:00 p.m. on a motion by Delaney, seconded by Hurley and passed with all voting aye.

Respectfully submitted,

T. J. Hagerty

Executive Secretary

MINUTES OF THE SPECIAL BOARD MEETING HELD ON NOVEMBER 13, 1986 AT THE BOARD OFFICES AT 90 W. PLATO BLVD., ST. PAUL, MINNESOTA

A special meeting of the Board of Animal Health was held on November 13, 1986 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Henry Banal, Mr. Jack G. Delaney, and Mr. Theodore Huisinga were present, as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey. Dr. Sharon Hurley was absent. The purpose of this special meeting was to meet with Commissioner of Agriculture, Jim Nichols, and others who are involved in the health regulations of cattle in international shipment. The Secretary reported that he had posted a notice of this meeting on the annuncements board in the lobby of the Department of Agriculture Building at 90 W. Plato Blvd. at 9:00 a.m., Monday, November 10, 1986.

The meeting was called to order at 11:00 a.m. by President Halvorson. The members discussed the test requirements for cattle being exported and the problems that may be anticipated.

The Board then moved to the Carousel Room, Radisson Kellogg Hotel in St. Paul for lunch and the meeting with the Commissioner. Those in attendance were the Board members, the Executive Secretary, the Assistant Secretary, Commissioner Nichols, Mr. Paul Hansen, Marketing Specialist with the Department, Dr. Ralph Grant, Professor emeritus from the University of Minnesota, Hou Jin Yuan with the Minnesota Trade Office, Dr. Robert Page representing USDA, APHIS, and Dr. Martin Bergeland and Dr. Glen Nelson of the University of Minnesota's College of Veterinary Medicine Diagnostic Laboratory.

Commissioner Nichols informed the Board that he was to be leading a trade mission to the People's Republic of China on November 29, 1986 and that he was especially concerned about negotiating with them on buying dairy cattle from Minnesota. Since there had been shipments of dairy cattle from Minnesota to China in 1985 and 1986, the Commissioner was anxious to learn ways that the preparation of these cattle could be improved upon. Drs. Bergeland and Nelson discussed the present testing procedures and suggested ways of reducing the amount of time and expense in these tests. Dr. Page reviewed the requirements established by the importing country and suggested changes that would be helpful in facilitating the movement of these cattle.

Commissioner Nichols advised the group that he felt his objective was to encourage the Chinese to buy our cattle and it was the responsibility of APHIS to negotiate a set of requirements

that will expedite the movement of cattle. Drs. Bergeland and Nelson assured the Commissioner that they would do everything possible to perform the necessary tests as rapidly as possible. The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Executive Secretary

MINUTES OF THE QUARTERLY BOARD MEETING HELD ON FRIDAY, FEBRUARY 27, 1987 AT THE BOARD OF ANIMAL HEALTH OFFICES AT 90 W PLATO BLVD., ST. PAUL, MINNESOTA

The Board of Animal Health held its regular quarterly meeting at 9:30 a.m, Friday, February 27, 1987, in the Board offices at 90 W Plato Blvd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore G. Huisinga were present, as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey. Dr. Henry Banal was absent.

NOTICE OF QUARTERLY MEETING

The Secretary informed the Board that the notice of the quarterly meeting had been published in the State Register on Monday, December 22nd, 1986.

APPROVAL OF THE MINUTES OF THE NOVEMBER 7, 1986 AND NOVEMBER 13, 1986 MEETINGS

Mr. Halvorson, President of the Board, asked for additions or corrections to the Minutes of the November 7 and November 13, 1986 meetings. Hearing neither corrections or additions, Mr. Halvorson asked for a motion to approve the Minutes. Dr. Hurley moved and Mr. Huisinga seconded the motion to approve the Minutes as presented. All voted aye and the motion passed.

APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Mr. Halvorson asked for an approval of the Agenda and for any additional items to be placed on the Agenda. Mr. Delaney requested that there be time for a discussion on the issue of ringworm and warts on cattle presented for exhibition. Dr. Hagerty asked that the Board address a communique to Mr. Halvorson and Dr. Hagerty from the Minnesota Pork Producers requesting changes in the membership of the Pseudorabies Advisory Committee.

DISCUSSION OF PSEUDORABIES ADVISORY COMMITTEE ACTIVITY

At the beginning of the discussion of the Pseudorabies Advisory Committee, Dr. John Landman, Pseudorabies Coordinator, joined the meeting to participate in the discussion. The Board reviewed the Minutes of the January 9, 1987 and February 20, 1987 meetings of the Pseudorabies Advisory Committee which were held at the Holiday Inn, North Mankato, Minnesota. They reviewed the resolution passed by the Minnesota Pork Producers at their annual meeting in January, 1987 and the resolution passed by the Minnesota Veterinary Medical Association in its meeting of February, 1987 to endorse the seventh draft of the National Pork Producers-USDA Pseudorabies Control/ Eradication proposal. The Board reviewed the results of a survey of swine practitioners conducted

by Dr. Ronald Kuecker of Windom, Minnesota and the results of a pseudorabies opinion survey conducted for the Board by Dr. Robert Morrison of the College of Veterinary Medicine, University of Minnesota at the Central Minnesota Swine Health Day program in St. Cloud, Minnesota on December 17, 1986.

Dr. Hagerty and Mr. Halvorson had received letters from the Minnesota Pork Producers Association Executive Board requesting that three additional swine producers be added to the Pseudorabies Advisory Committee membership and that five members, Dr. T. J. Hagerty, Dr. David Thawley, Dr. Jerry Hawton, Mr. Dale Melin, and Mr. Donald Kampmeier be deleted from the Board. The rationale for this was so that only people that own livestock or were working directly with livestock would be represented on the Board.

Following a lengthy discussion on the activities of the Committee and the request of the Minnesota Pork Producers, the Board instructed Dr. Hagerty to contact Mr. Kent Holden of the Minnesota Pork Producers to agree on three additional producers to be placed on the Committee. The Board felt very strongly that all of the members of the Committee presently serving represented important areas of the industry that the Board wished to have representation from. They, therefore, will not remove any member of the Committee but do feel that there are areas of pork production such as feeder pig production that is not adequately represented on the Committee.

The Secretary asked the Board to discuss rule changes and instruct the Secretary as to what items they wished to have addressed in the rule changes. Dr. Mackey stated that the Board had agreed to reduce the number of negative tests required for cleanup from two complete herd tests to one test. The next item of discussion was a feeder pig monitoring program. The question is should this program be statewide or only in an area outside the endemic pseudorabies area and should it be a voluntary program or a mandatory program. Dr. Mackey also reminded the Board that at the February 20th, 1987 pseudorabies committee meeting a motion was made, seconded and passed to draft a feeder pig monitoring program similar to the program Illinois has in place and to proceed with its implementation. The Advisory Committee requested that the Board present a feeder pig plan to the Committee after they have it drafted. Dr. Mackey reminded the Board that the Committee had spent some time discussing the movement between quarantined herds and that the jist of the discussion dealt primarily on movement between quarantined herds only at the time of a cleanup program and under permit from the Board as a part of the approved herd cleanup plan.

The Secretary asked the Board to give him guidance on the preparation of a funding request to present to the Legislature. The Minnesota Pork Producers had asked that a request be made for funds for the cleanup of the quarantined herds in Minnesota. The question was should the funds be made available for only the testing of the blood in the Laboratory or for the testing of the blood as well as for drawing the blood by the veterinarian on the farm. The Board instructed the Secretary to draw up a plan requesting funds for the entire cost of cleanup, including the drawing of the blood and the testing of the blood. No request would be made for other producer costs, indemnities, or downtime. The Secretary asked the Board for a decision on a request for funding for the pseudorabies monitoring plan. Following considerable discussion on the subject, the Board instructed the Secretary to propose funding for the plan that would pay for drawing of the blood and testing of the blood at the University of Minnesota's College of Veterinary Medicine Diagnostic Laboratory through the voluntary stage of the program but would end at the date the program became mandatory. The rationale for this proposal was that state paid funding would encourage producers to become involved in the program during the voluntary phase. The Secretary suggested that once the rule has been promulgated and is in place which may take six to nine months that an additional 12 months be allowed for a voluntary phase prior to the beginning of the mandatory phase. The mandatory phase could begin on or about January 1, 1989. The Board staff will develop a rule change addressing the requirement of one complete negative test to release the quarantine and the development of a feeder pig monitored herd plan. Dr. Hurley moved and Mr. Delaney seconded a motion to instruct the Secretary to prepare a proposed feeder pig monitoring program to present to the Pseudorabies Advisory Committee at their April 3rd meeting. All voted aye and the motion passed.

A motion was made by Delaney and seconded by Hurley and passed with all voting aye to add three pork producers to the Pseudorabies Advisory Committee with responsibility of the selection to be left with the Secretary and a representative of the Minnesota Pork Producers.

MEETING WITH MR. KEITH HAWTON, SWINE PRODUCER AT REDWOOD FALLS, MINNESOTA

Mr. Keith Hawton came before the Board to request consideration for a situation which he believes is human error resulting in the denial of validated brucellosis free status for his herd. Dr. George Keller, staff member responsible for brucellosis control and eradication, attended this portion of the meeting. Dr. Keller began the discussion by outlining the series of events that led up to the denial of validated herd status. Mr. Hawton agreed with the events as presented. His concern is the fact that the blood from part of the complete herd test conducted on 11-1-84, 11-13-84, and 12-11-84

did not get tested for brucellosis due to a mistake on the part of the veterinarian or his employee. As a result he does not meet the requirement in the rule for a complete herd test. He requests that because he has not had brucellosis in his herd and that the quarterly tests done since December 11, 1984 have not disclosed any sign of the disease that an exception should be made to the rule to allow the herd to be validated.

The Secretary stated that the staff members were unable to make a change in the rule or make an exception to the rule and that he would recommend that the Board ask the Attorney General's office for an opinion on the situation. If the Board is able to make an exception in this case it would be willing to do so.

INTRODUCTION OF DR. DALE LAUER

Dr. Keith Friendshuh, Veterinarian in Charge of Poultry and Miscellaneous Diseases, introduced Dr. Dale Lauer to the Board. Dr. Lauer started with the Board on February 4, 1987, working in the Willmar Poultry Testing Laboratory. Dr. Lewis Ausherman, presently supervisor of the Laboratory, retires on February 28, 1987. Dr. Lauer will begin as supervisor on March 1, 1987.

CHLAMYDIOSIS

Dr. Friendshuh discussed adding Chlamydiosis to the list of reportable diseases. This is the result of the identification of Ornithosis in turkeys and of psitticosis in the workers in poultry processing plants in October and November of 1986. On a motion by Huisinga and seconded by Hurley and with all voting aye the Board moved to add Chlamydiosis to the list of reportable diseases.

MEETING WITH MR. GLEN FULLER , SEBEKA, MINNESOTA REGARDING PSEUDORABIES QUARANTINE

Mr. Glen Fuller and his wife as well as Senator Don Anderson of District 12 and Representative Donald H. Richter of District 12A and Mr. and Mrs. Joyce Line of Verndale, Minnesota came before the Board to discuss a pseudorabies quarantine that Mr. Fuller received in 1983. Also in attendance was Ms. Selene Seals, a student assisting Senator Anderson. Mr. Fuller began by discussing in chronological order a situation in which he had sold breeding hogs to a number of individuals within the state of Minnesota. Mr. Fuller believes he has been treated unfairly by the Board or its employees and that as a result his reputation has been damaged and his farming operation is in severe financial problems. Mr. Fuller is requesting a cash settlement. Senator Anderson asked if the Board has the authority to make settlements. Dr. Hagerty stated that the Board

did nct have this authority. He said that Mr. Fuller had participated in a class action lawsuit regarding herd quarantine that was heard in Federal District Court. The Court ruled in favor of the State. Dr. Hagerty further stated that Mr. Fuller had presented his case to the State Tort Claims Office and that following a review of the case it was denied. The Secretary stated that Board records are public information and are available to anyone. The Board expressed their understanding of Mr. Fuller's situation but felt that the rules had been followed and believes that there is nothing further they are able to do.

EXHIBITION OF CATTLE

Mr. Delaney requested that the Board discuss the situation with warts and ringworm on cattle presented for exhibition. Mr. Delaney's concern is that the health certificate signed by a veterinarian, who inspects the cattle, is not necessarily accepted as stated by the veterinarian who inspects the cattle at the exhibition. He is concerned that a veterinarian inspecting the animals can certify that the animals are fit for show but that the show veterinarian is still able to disallow the animal to be part of the show. The Board discussed this item at length, but no decision was made at this time.

DATE OF NEXT MEETING

The Board set the next meeting for Friday, April 10, 1987, in the Board offices at 90 W Plato Blvd., St. Paul, Minnesota.

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY MEETING HELD ON FRIDAY, APRIL 10, 1987 AT THE BOARD OF ANIMAL HEALTH OFFICES AT 90 W PLATO BLVD., ST. PAUL, MINNESOTA

The Board of Animal Health held its regular quarterly meeting at 9:30 a.m., Friday, April 10, 1987 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore G. Huisinga, and Dr. Henry Banal were present as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF QUARTERLY MEETING

The Secretary informed the Board that the Notice of Quarterley Meeting had been published in the State Register on Monday, March 16, 1987.

APPROVAL OF THE MINUTES OF THE FEBRUARY 27, 1987 QUARTERLY MEETING

A motion was made by Mr. Delaney and seconded by Dr. Hurley and approved with all voting aye to accept the Minutes of the February 27, 1987 Board meeting as presented.

THE APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Mr. Halvorson asked for approval of the Agenda and for any additional items to be added to the Agenda. Dr. Banal asked for time to discuss the accomplishments of the Assistant Secretary. Mr. Halvorson reported that he had an opportunity to meet with the Department of Agriculture Commissioner Jim Nichols prior to this meeting. Mr. Halvorson suggested that the Board consider spending the afternoon at the Legislature. Mr. Delaney asked for a discussion on the rule regarding ringworm and warts at exhibitions. Dr. Banal asked for a discussion on illegal use of brucellosis vaccination equipment.

ELECTION OF OFFICERS

Dr. Hagerty assumed the role of temporary Chairman of the meeting for the election. A motion was made by Mr. Huisinga to nominate the present officers, Mr. Halvorson as President and Dr. Hurley as Vice president for the coming year. Dr. Banal seconded the motion. Mr. Delaney moved to cast a unanimous ballott. All voted aye, the motion passed, and Mr. Halvorson will serve as President for the coming year and Dr. Hurley will serve as Vice president. Mr. Halvorson then resumed the role of Chairman of the meeting.

ILLEGAL USE OF BRUCELLOSIS VACCINATION TATTOOS

The Board discussed the use of the shielded V tattoo by people other than a licensed and accredited veterinarian. This is in violation of State and Federal regulations and undere MS. 35 constitutes a

misdemeanor. The Board believes this should be changed to a gross misdemeanor and that funding should be requested for additional law compliance representatives. The result would be to put more "teeth" in the law. Dr. Banal suggested that the staff should research the situation to find out what it would take to make this change. The Secretary reminded the Board that a similar proposal was brought up in early 1985. Legislation was prepared at that time and authors were found in both the Senate and House. However, the legislation did not survive the 1985 session of the Legislature. At this time it is too late to offer this legislation in the 1987 session. The Secretary suggested that this may be better addressed in the 1988 legislative session. Banal moved and Hurley seconded a motion to advise the staff to prepare proposed legislation. All voted aye and the motion passed.

RULE CHANGE ON 1700.1500 IMPORTING FEEDER CATTLE

Dr. Pyle, Veterinarian in Charge of importations and markets, joined the meeting to discuss the proposed rule change. Dr. Pyle presented a proposed rule that would require a hot iron "F" brand on the jaw of all feeding cattle imported from states classified as B and C brucellosis status by United States Department of Agriculture, Veterinary Services. Following considerable discussion on this matter, a motion was made by Delaney and seconded by Banal and passed with all voting aye to proceed with this rule change via the noncontroversial route, ie, requiring no public hearing.

APPRECIATION FOR ASSISTANT SECRETARY

Dr. Banal indicated to the Board that he felt Dr. Walter Mackey, Assistant Secretary, deserved a great deal of appreciation for his enthusiasm and efforts on behalf of his many responsibilities to the Board. Dr. Banal moved and Mr. Huisinga seconded a motion to note appreciation for Dr. Mackey's work. All voted aye and the motion passed.

PSEUDORABIES REPORT

Dr. Mackey reported to the Board on the status of pseudorabies in Minnesota and on the activities of the Pseudorabies Advisory Committee. The Pseudorabies Advisory Committee has met three times and has named three subcommittees. These three meetings have been held at the Holiday Inn in North Mankato. They have been held on January 9, 1987, February 20, 1987, and April 3rd, 1987. Allen Routh, purebred producer from Owatonna, Minnesota was elected Chairman. Chairman Routh named a legislative subcommittee which met on Tuesday, March 17, 1987 at the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. He also named a producer subcommittee made up of those members of the full committee who own hogs, and a long range planning subcommittee. The latter will meet on

Thursday, April 16, 1987 at the Holiday Inn in Mankato, Minnesota. Dr. Mackey reported that a mandatory statewide feeder pig monitored herd rule proposal had been presented to the full Pseudorabies Advisory Committee on April 3rd. Due to the appointment of the long range planning subcommittee he recommended that the Board defer acting on any rule change until this subcommittee had time to meet and report back to the full committee. Dr. Mackey suggested that the recommendations of the 7th Draft would be the proper information for the long range planning committee to respond to.

LEGISLATIVE REPORT

Dr. Hagerty reported on the activities regarding proposed legislation affecting the Board before the 1987 Legislature. He stated that the Board's funding proposal of 3.2 million dollars for the biennium which is included in the Governor's recommendation has been heard by the appropriate committees in both the Senate and the House. This is a "same" level funding proposal. There is neither an inflationary increase nor any change requests. This means that the Board must operate under the identical dollars in FY 88 - FY 89 as was done in the FY 86 - FY 87 biennium. The other item of particular importance at this time is House File 683. This is a proposal to license all dog dealers in the State. At the present time USDA, APHIS, Veterinary Services licenses between 85 and 100 class A and class B dog dealers. This legislation would have the Board duplicate the effort of USDA. In addition, HF683 proposes to add three members to the Board. These members would all be representatives of humane societies. The licensing of dog dealers would require inspection prior to being licensed and enforcement and investigation. The Board has prepared a fiscal note on this that would amount to $100,000 for the biennium.

The Board agreed to delay any further discussion on the warts and ringworm situation at exhibition. The Board will spend the afternoon of this meeting visiting with members of the Legislature. The Secretary said that the Board was invited to come before the House Agriculture Committee to be introduced.

DATE OF NEXT MEETING

The next meeting of the Board of Animal Health will be held at 9:30 a.m. on Friday, June 26th, at the Holiday Inn in Willmar, Minnesota.

THE APPOINTMENT OF THE EXECUTIVE SECRETARY

Following a discussion of the activities of the Executive Secretary a motion was made by Dr. Banal and seconded by Dr. Hurley that Dr. Hagerty be reappointed and receive the maximum salary granted

on July 1, 1987 as provided by plan. The motion was passed with all voting aye.

Respectfully submitted,

Secretary

MINUTES OF THE SPECIAL BOARD MEETING HELD ON FRIDAY, JUNE 26th, 1987 AT THE HOLIDAY INN AT 2100 E. HIGHWAY 12, WILLMAR, MINNNESOTA

The Board of Animal Health held a Special Board Meeting at 9:30 a.m., Friday, June 26th, 1987 at the Holiday Inn Motel at 2100 E. Highway 12, Willmar, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore G. Huisinga, and Dr. Henry Banal were present as was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter J. Mackey. Also in attendance was Dr. Keith Friendshuh, Veterinarian in Charge of Poultry and Miscellaneous Diseases, and Dr. John Landman, Pseudorabies Coordinator for the Board. District veterinarians Dr. Leo Zehrer and Dr. Kern Schwartz were also in attendance. Dr. P. E. Eppele, AVIC of the Federal office was present.

NOTICE OF QUARTERLY MEETING

President Halvorson called the meeting to order and informed the Board that the Notice of this special meeting was published in the State Register on Monday, May 11, 1987.

APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Mr. Halvorson asked for any additional items to be added to the Agenda. Dr. Banal requested that a discussion on illegal use of tattoo equipment by a layman be put on the Agenda. There being no further requests for additional Agenda items Mr. Halvorson declared the Agenda approved as presented.

PROPOSED RABIES RULE CHANGE, 1705.1090 - 1705.1210

Dr. Keith Friendshuh came before the Board to discuss proposed changes in the Rabies rule. He explained that the decision had been made to promulgate this rule through the non-controversial route. All interested parties had been contacted and made aware of the proposed change. There have been no responses to date and the rule is in its final stages of approval. Dr. Friendshuh reminded the Board members of the nature of the change which essentially would make it illegal for anyone other than a veterinarian or a person under the supervision of a veterinarian, to vaccinate a dog or a cat for rabies. A motion was made by Hurley and seconded by Banal and passed unanimously to

adopt the rule as presented.

LICENSURE OF CLASS B "DOG DEALERS"

Dr. Friendshuh described to the Board legislation that had been passed in the 1987 Minnesota Legislature which requires the Board to promulgate rules to license Class B Dealers as defined under USDA rules. Dr. Friendshuh suggests that because of the specificity of the Law that the rule changes be processed via the non-controversial route. A motion was made by Hurley and seconded by Delaney and passed with all voting aye to promulgate rules on this matter.

LEGISLATIVE UPDATE

Dr. Hagerty reported to the Board on the legislation that came out of the recently adjourned legislative session relative to the Board. Dr. Hagerty reported that there are three measures that affect the Board. First, that as Dr. Friendshuh had discussed, the Board was to begin licensing Class B Dealers. Second, the Legislature provided $185,000 for the FY '88 - FY '89 biennium for the control program for pseudorabies. The Legislators indicated that if the bulk of those funds were expended by the time the 1988 Legislature meets that they would consider additional funding for the program. Third, the Board's budget request was approved after being reduced by 1 per cent. However, this reduction was made up by a shift of funds from the indemnity fund. Unfortunately, there is no inflationary increase for items other than salaries and in-state travel expenses. This must be absorbed by the Board. Dr. Hagerty also indicated that the Board has received from USDA $40,000 plus indirect costs and $50,000 which includes indirect costs. As a result, the Board has received slightly less than $100,000 of Federal funds for the pseudorabies program in FY '87.

INTRODUCTION OF GUESTS

Mr. Halvorson asked the guests present to introduce themselves. Approximately 20 hog producers and dealers were present. Also present was Representative Steve Dille, a veterinarian from Dassel, Minnesota, House Author of the pseudorabies funding legislation, Representative Alan Welle of Willmar, Minnesota, and Representative Sylvester Uphus of Sauk Centre, Minnesota. Representative Uphus commented

on his satisfaction with the direction that the pseudorabies control project is taking. He said that he is very pleased that the industry seems to have become united on the idea of pseudorabies control. He expressed his appreciation to the Board for their leadership in the pseudorabies project. He indicated that he believed the Legislature will go along with producers as long as the industry is united. Representative Dille expressed his appreciation for being invited to attend the Board meeting and indicated his willingness to continue his efforts to secure additional funding in the 1988 Legislature.

DISCUSSION ON PROPOSED PSEUDORABIES RULE CHANGES

Dr. Mackey described for the Board the proposed rule changes. Essentially it will be a feeder pig monitoring program, a circle testing program around quarantined herds and qualified negative herds as a method of surveillance, and assistance in herd cleanup in an area to be declared pseudorabies free. Also the proposal states that only one negative test will be required for the release of quarantine. The present rule requires two negative tests.

The Board invited comments from the public as they reviewed the proposal. A great deal of time was spent discussing quarantined feedlots. While it is generally agreed that quarantined feedlots are necessary, it is perceived by many that they constitute a hazard to neighboring herds. Arnold Moenning, seedstock producer from Dodge Center, Minnesota, spoke for a number of the seedstock producers when he asked the Board to adopt a proposal to phase out existing quarantined feedlots that are within one mile of a qualified negative herd. In addition he asked that the Board consider requiring quarantined feedlots to apply for an annual permit with an annual inspection and require that all swine going into quarantined feedlots be vaccinted prior to or immediately upon entering the feedlot. It was suggested to the Board that this vaccination be done by a licensed and accredited veterinarian so that there would be a record and proof that these pigs had been vaccinated.

Dr. Mackey went into detail on the feeder pig monitored herd proposal including

the time table of events. It was suggested that the testing of herds should not be restricted to only those herds that offer feeder pigs for sale but should be required of all herds including farrow to finish operations. The seedstock producers reiterated their request that no new quarantined feedlots be established within one mile of a qualified negative herd and that all existing feedlots within one mile be phased out over six to twelve months.

The Board then went through the rule proposal line by line.

1. The proposed definitions were approved.

2. The proposal to divide the State into a Northern zone and Southern zone was approved.

3. Phased in control of intrastate movement of feeder pigs was approved.

4. Approved that all feeder swine from monitored herds shall be offered for sale identified as originating from a monitored pseudorabies negative herd.

5. Approved that all quarantined feedlots within a one mile radius of a qualified negative feedlot shall be phased out over a one year period and this shall be extended to a two mile radius by January 1, 1990.

6. Approved that all swine going into quarantined feedlots must be vaccinated for pseudorabies prior to or upon entry into the quarantined feedlot.

7. Proof of herd status was approved after item D was struck.

8. Annual remonitoring was approved.

9. Monitoring of PRV vaccinated herds was approved with the change in number E being that use of other approved methods of herd monitoring be approved by the Board of Animal Health.

10. Slaughter plant surveillance was approved.

11. Feeder pig herd monitoring plan was approved.

12. Circle testing around qualified herds was approved.

13. Cleanup of herds disclosed to be positive near qualified herds was approved.

14. Circle testing around quarantined herds was approved.

A motion was made by Banal and seconded by Hurley to approve the proposed changes as presented with corrections. All voted aye and the motion passed.

The meeting was adjouned at 12:30 p.m. for lunch at the Holiday Inn dining room.

LUNCHEON SPEAKER

Dr. Peter Poss, of Jennie O' Foods, of Willmar, Minnesota discussed the concern of the Minnesota Turkey Growers Association of salmonella in rendered products. He also discussed the problems of disposal of dead birds and the alternatives available.

The Board reconvened at 2:00 p.m. Mr. Marlow Mashoff of Fairmont, Minnesota came before the Board to request consideration of a rule change to allow cull boars and sows to be put into quarantined feedlots without a pseudorabies test for further feeding before slaughter. Following considerable discussion on this item, the Board refused this request.

UNIVERSITY OF MINNESOTA TASK FORCE REPORT

The Board discussed the report of the University of Minnesota's Task Force which recommended the closing of the College of Veterinary Medicine to make funds available for other needs within the University Curriculum. Mr. Huisinga reported that the Minnesota Turkey Growers Association had drafted a telegram to University President Ken Keller and Board of Regents Chairman David Lebedoff strongly requesting that the President and the Regents come out very quickly denying that recommendation and supporting the College as well as the other programs that were targeted for termination. The Board requested that the Secretary draft a similar letter and have it signed by President Halvorson and sent to President Keller, Governor Perpich, Vice President Neal Vanselow, and the Regents.

PRIORITIES ON EXPENDITURE OF PRV FUNDS

Dr. Mackey presented to the Board a set of priorities dealing with the expenditure of the funds for pseudorabies made available by the Legislature. The Board tentatively agreed to the expenditure for Laboratory fees for the feeder pig herd monitoring program, for the cleanup of those herds that were negative on the statistical sample in Phase I and Phase II of the survey, circle testing around newly quarantined herds as a method of surveillance, circle testing around all qualified herds, and herd cleanup of those infected herds in the Northern zone. The projected cost of these items is expected to be $155,000.

This matter will be discussed further at the August 7th, 1987 Board meeting. Dr. Mackey asked if the Board felt that the Advisory Board should meet again prior to August 7. It was decided that the entire Advisory Committee should be sent copies of the proposed rule and asked to comment on it.

PSEUDORABIES - SPF PROCEDURES

Dr. Landman reported to the Board on the advertisement of Richard Compart and Sons regarding the sale of one day old piglets removed by the Specific Pathogen Free, SPF, process. He related that quarantined sows were being shipped to an SPF Lab and surgery was performed prior to the slaughter of the sow. The piglets were then being returned to one of Compart's premises, but also some were being offered for sale. The question is, Is this in violation of State and/or Federal regulations? Dr. Hagerty advised the Board that these piglets were offspring of quarantined sows and as a result they too were quarantined until they had undergone two negative tests for PRV. The Board concurred with this interpretation.

THE DATE OF THE NEXT MEETING

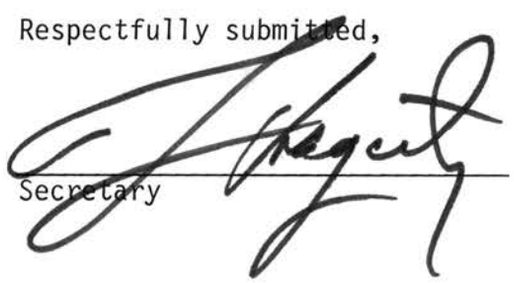
The next meeting of the Minnesota Board of Animal Health will be held at 9:30 a.m. on August 7, 1987 at the Board offices at 90 West Plato Blvd., St. Paul, Minnesota.

The meeting was adjourned on a motion by Huisinga, seconded by Banal, and approved with all voting aye.

TOUR OF MINNESOTA POULTRY TESTING LABORATORY

The Board toured the Minnesota Poultry Testing Laboratory in Willmar. This is a Board Laboratory. Dr. Dale Lauer, Director of the Laboratory, and Dr. Lewis Ausherman, retired Director, conducted the tour.

Respectfully submitted,



Secretary

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF ANIMAL HEALTH HELD ON FRIDAY, AUGUST 7, 1987 AT THE BOARD OFFICES AT 90 W PLATO BLVD., ST. PAUL, MN

The Board of Animal Health held a quarterly meeting at 9:30 a.m., Friday, August 7, 1987 in the Board offices at 90 W Plato Blvd., St. Paul, MN. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal and Mr. Theodore G. Huisinga were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF QUARTERLY MEETING

President Halvorson informed the Board that the notice of the quarterly meeting had been published in the State Register on Monday, July 13, 1987.

APPROVAL OF THE MINUTES OF THE APRIL 10, 1987 QUARTERLY MEETING AND THE JUNE 26, 1987 SPECIAL MEETING

The President asked for additions or corrections to the Minutes and hearing none declared the Minutes approved as presented.

THE APPROVAL OF THE AGENDA/BOARD MEMBERS INPUT

Mr. Delaney requested that time be set aside to discuss the issue of ringworm and warts on cattle at exhibitions. Dr. Banal requested a discussion on the image projected by the Board to the public.

STATUS OF THE COLLEGE OF VETERINARY MEDICINE AT THE UNIVERSITY OF MINNESOTA

The Secretary related to the Board the present status of the College of Veterinary Medicine relative to the "Commitment to Focus" and the Task Force report. He reminded the Board that at the June 26th meeting they had moved to send a letter to the President of the University and to the Board of Regents supporting the continuation of the College. The Board discussed preparing letters to be addressed to the Board of Regents, University of Minnesota President Kenneth Keller, and Governor Rudy Perpich. A motion was made by Banal and seconded by Hurley and passed with all voting aye to send letters to University Board of Regents Chairman David Lebedoff and to Governor Rudy Perpich asking for their support of the continuation of the College.

BOARD IMAGE

Dr. Banal related to the Board members a discussion he had been involved in

with a group of practicing veterinarians recently. He felt that while the relationship between the Board staff and the practicing veterinarians had improved there was still more work to be done. He suggested that at a future work conference this point might be discussed. The Secretary said that he would include such a discussion at the next work conference.

PROPOSED PSEUDORABIES RULE CHANGE - 1705.2400 - 1705.2530

The Board was joined by Dr. Walter Mackey, veterinarian in charge of pseudorabies regulations, Dr. John Landman, pseudorabies coordinator, Dr. Robert Pyle, veterinarian in charge of the imports and markets, and Mr. Paul Strandberg, Attorney representing the Attorney General's office to the Board. Also Mr. Dale Melin, of Dale Melin Feeder Pigs, Sauk Centre, Minnesota, Mr. Ken Lawinger, of Northern States Feeder Pigs, Sauk Centre, Minnesota, and Mr. Carl Tessmer, of Gopher State Feeder Pigs, Rogers, Minnesota joined the meeting. Also joining the Board meeting was Mr. Pat McGongle, recently named Executive Director of the Minnesota Pork Producers' Association.

Dr. Mackey reviewed the changes that were discussed at the June 26th, 1987 meeting and included the changes requested by the Board at that meeting. He pointed out the following changes proposed in the rule;

1. Additional definitions.

2. Part 1705.2434 - procedure for establishing and monitoring quqrantined feedlots.

3. Part 1705.2440 - rule to allow for one negative breeding herd test for quarantine release.

4. Part 1705.2472 - plan to control the spread and eradication of pseudorabies.

5. Part 1705.2474 - procedure for establishing and monitoring a monitored pseudorabies negative herd.

6. Part 1705.2476 - proposed system of pseudorabies survelliance and control of the spread of the disease in Minnesota.

Dr. Mackey also presented a proposed time schedule to phase in the various aspects of the rule. Mr. Strandberg requested three additions. In 1705.2434 subpart 4, requiring annual reapproval, he suggested that the words "at least" be put between the words "will" and "annually" in the first sentence. In the same part, subpart 5, he suggested the additions of the words "and the health of Minnesota swine" between the words "bloodlines" and "all". Also in subpart 5, he requested that the words "existing on January 1, 1988" be put in between the word "herd" and the word "will".

The Board discussed with those in attendance the phased in nature of the rule with the voluntary portion beginning as soon as the rule is put in place around January 1, 1988, and the mandatory aspect in the northern zone on January 1, 1989 and then mandatory throughout the state on January 1, 1990. The feeder pig dealers in attendance expressed their concern over the identification of feeder pigs at street markets and the fact that no identification would be required in the case of direct farm to farm sales. It was expressed that all swine producers should be required to test their herd, not only those selling breeding stock and feeder pigs. It was suggested that rather than a phased in process the program should be mandatory at one time for the entire state. The Secretary said the purpose of the phasing in was to keep the northern zone clean and to allow time for adjoining states to develop a similar type of program. The inclusion of circle testing around qualified negative herds as well as quarantined herds and phasing out quarantined herds around qualified negative herds provides added protection to the qualified negative herds.

SALE OF LIVESTOCK AT AUCTION MARKETS, CONSIGNMENT, COMMUNITY, AND OTHER SALES - 1715.0200 - 1715.0580

Dr. Robert Pyle discussed with the Board the proposed changes in the auction market rule. He indicated that the change in the market rules would be as follows:

1. Eartags would be used as the only method of identification at all swine concentration points.

186.

2. A report of the origin and destination of all feeder pigs would be required.

3. Completely separate facilities for slaughter animals would be required.

4. Completely separate facilities for marketing monitored and non-monitored feeder pigs would be necessary.

5. Only monitored feeder pigs may be sold after January 1, 1989 in the northern zone and statewide after January 1, 1990.

6. The Board would consider using green colored eartags to designate the monitored feeder pigs.

The dealers in attendance restated their concern about the difficulty in tagging at street markets. Dr. Pyle related that all states require that tags be the means of identification. It was suggested that all farm to farm sales should also be required to have eartag identification. Dr. Pyle responded that this would be very expensive to administer and very difficult to enforce. Mr. Huisinga moved that eartagging be made optional in the rule. This motion died for lack of a second. Mr. Delaney moved that all feeder pigs being sold must be identified by eartag and a restricted movement document be issued. This motion died for lack of a second.

APPROVAL OF PROPOSED RULE CHANGES

Dr. Hurley moved and Dr. Banal seconded a motion to approve the pseudorabies rule 1705.2400 - 1705.2530 and the sale of livestock rule - 1715.0200 - 1715.0580 as presented. All voted aye and the motion passed. Following a discussion by Dr. Pyle and the Board, Dr. Hurley moved and Dr. Banal seconded a motion to approve the rule changes in the public stockyards rule - 1715.1270 1715.1480, the state-federal approved market for swine rule - 1715.0590 1715.0770, and the importation of swine into Minnesota rule 1700.2600 - 1700.3000 as presented. All voted aye and the motion passed. A motion was made by Hurley and seconded by Huisinga that all Minnesota monitored herds would be identified by green eartags that would be placed in the pig's ears at the concentration point. All voted aye and the motion passed.

F BRAND OF IMPORTED FEEDING ANIMALS PART 1700.1500

Final action was taken on this item which had been discussed at earlier Board meetings. A motion was made by Banal and seconded by Hurley to adopt the following resolution:

> "RESOLVED, that the rule relating to Importing Feeding Cattle Part 1700.1500 is hereby approved and adopted, pursuant to Authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health, is authorized to sign an order adopting this rule and further is authorized to perform the necessary acts to provide that this rule shall have the force and effect of law."

All voted aye and the motion passed.

ILLEGAL USE OF BRUCELLOSIS VACCINATION TATTOO EQUIPMENT

Drs. Keller and Pyle discussed with the Board an incidence in which someone other than a veterinarian had placed vaccination tattoos in cattle's ears. They suggested that the brucellosis rule be clarified to prohibit unofficial vaccination tattoos. A motion was made by Delaney and seconded by Huisinga that the following language be added to the brucellosis rule: "Vaccination tattoos applied by persons other than accredited veterinarians are unofficial vaccination tattoos". "Persons other than accredited veterinarians applying vaccination tattoos will be in violation of this rule". All voted aye and the motion passed. Banal moved and Huisinga seconded it that the brucellosis rule change be done at the descretion of the Board staff. All voted aye and the motion passed. This action was taken to allow the staff to make this change at the same time other changes would be made in this rule.

STATUS OF NEMATODIRUS BATTUS

Nematodirus battus is a intestinal parasite of sheep that was considered a foreign animal disease by USDA. As a result of a nationwide survey by USDA Nematodirus battus was found in several geographic areas of the United States and the recommendation was made that it should now be included in the list of diseases reportable to state regulatory officials. A motion was made by Huisinga and seconded by Hurley to add Nematodirus battus to the list of reportable diseases. All voted aye and the motion passed.

EXHIBITION - CATTLE - WARTS AND RINGWORM

Mr. Delaney discussed with the Board the problems encountered by exhibitors when they take their cattle to different exhibitions. Because the official veterinarian of each show makes a judgment decision on the status of either ringworm or warts on these cattle when presented, they may be handled differently by the official veterinarian at each exhibition. Mr. Delaney suggested that the exhibitor have a certificate of inspection signed by an accredited veterinarian stating the status of the condition and any treatment thereof. Following some discussion the Board chose to take no action on this matter.

DATE OF NEXT MEETING

The next meeting of the Board of Animal Health will be Friday, December 11, 1987 at the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota at 9:30 a.m.

ADJOURN

A motion was made by Huisinga and seconded by Hurley and approved with all voting aye to adjourn.

Respectfully submitted,

Secretary

MINUTES OF THE FRIDAY, DECEMBER 11, 1987 MINNESOTA BOARD OF ANIMAL HEALTH QUARTERLY MEETING

President Halvorson called the fourth quarterly meeting of 1987 of the Minnesota Board of Animal Health to order at 9:30 a.m. on Friday, December 11, 1987 at the Board offices in the Minnesota Department of Agriculture Building at 90 W. Plato Blvd., St. Paul, Minnesota. Those members in attendance were Dr. Henry Banal, Mr. Jack Delaney, President Herbert R. Halvorson, Dr. Sharon Hurley, and Mr. Theodore G. Huisinga. Also in attendance was the Executive Secretary, Dr. T. J. Hagerty and the Assistant Secretary, Dr. Walter Mackey. Dr. John Landman and Dr. Robert Pyle joined the meeting at 9:45 a.m.

NOTICE OF MEETING

President Halvorson informed the Board that the notice of the meeting had been published in the State Register on November 16, 1987.

APPROVAL OF MINUTES

The Minutes of the August 7, 1987 meeting were approved as presented on a motion by Banal and seconded by Delaney with all voting aye.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

Hearing neither requests for additional items to be added to the agenda nor discussion on the same, Mr. Halvorson declared the agenda approved as presented.

PROPOSED CHANGES IN THE FOLLOWING RULES

PRV rule 1705.2400 - 1705.2530, Market rule 1715.0200 - 1715.0580, State-Federal market rule 1715.0590 - 1715.0770, Swine Importation rule 1700.2600 - 1700.3000 and Public Stockyards rule 1715.1270 - 1715.1480.

The Secretary provided the Board members with copies of the proposed rule changes and explained the recommended changes in the proposal. These changes were a result of a discussion held with the marketing industry after the final draft of the proposal was approved by the Board on August 7, 1987, and before the November 13, 1987 Public Hearing. The Secretary recommended that these changes as agreed upon between the Secretary and the representatives of the industry be approved. The purpose of this agreement is to facilitate the marketing of feeder pigs both intra and inter state.

The recommended changes would advance the proposed date of mandatory feeder pig monitoring in the northern zone from January 1, 1989 to July 1, 1989. They would require identification to the farm of origin of any feeder pig leaving any premises for sale, loan, lease, or contract feeding. On farm identification would be an alternative to identification at the first point of concentration. This agreement also would provide requirements for the order of sale of swine where more than one class would be sold in the same facilities on the same day.

Finally, all vehicles carrying livestock either exposed to or infected with pseudorabies virus would be required to be cleaned and disinfected before being used to transport livestock or feedstuffs for livestock.

The requirement for monitored feeder pigs to be identified by a green metal eartag has been dropped.

These recommended changes were approved on a motion by Huisinga and seconded by Delaney and passed with all voting aye.

LEGISLATIVE INTIATIVES FOR THE 1988 LEGISLATIVE SESSION

The Board discussed the necessity of additional law compliance representatives, one clerical position, and a possible veterinarian position for the pseudorabies program. The Board agreed to support these positions as the need arises and upon the recommendation of the Executive Secretary.

DATE AND LOCATION OF NEXT MEETING

The next meeting of the Board of Animal Health will be held at 9:30 a.m., Thursday, January 7, 1988 at the Board offices at Room 160 Department of Agriculture Building, 90 W Plato Blvd., St. Paul, Minnesota.

ADJOURN

A motion was made by Banal and seconded by Hurley and passed unanimously to adjoun at 12:15 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE THURSDAY, JANUARY 7, 1988 MINNESOTA BOARD OF ANIMAL HEALTH QUARTERLY MEETING

The Board of Animal Health held its first quarterly meeting of 1988 at 9:30 a.m., Thursday, January 7, 1988 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, and Mr. Theodore G. Huisinga were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF MEETING

The Board was informed by President Halvorson that the notice of the meeting had been published in the State Register on December 21, 1987.

APPROVAL OF THE MINUTES

The Minutes of the December 11, 1987 meeting were approved as presented on a motion by Banal and seconded by Hurley and passed with all voting aye.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

Mr. Halvorson asked the Board for any additional items that they wished to add to the Agenda. Mr. Huisinga requested that consideration be given to reducing the age of testing turkeys for salmonella and mycoplasma from 14 weeks to a younger age. Hearing no other requests Mr. Halvorson declared the Agenda approved with the additional item.

ADOPTION OF PSEUDORABIES, IMPORTATION, AND MARKET RULE CHANGES

Dr. Pyle joined the meeting at the discussion of the rule changes. The Executive Secretary reported to the Board that the report by Mr. Jon Lunde, Administrative Law Judge, of the November 13, 1987 Hearing on changes to the PRV rule, 1705.2400 - 1705.2530, Market rule 1715.0200 - 1715.0580, State-Federal Markets rule 1715.0590 - 1715.0770, Swine importation rule 1700.2600 - 1700.3000, and Public Stockyards rule 1715.1270 - 1715.1480 had been received on Thursday, January 6, 1988. Dr. Mackey, Dr. Landman, Dr. Hagerty, and Dr. Pyle have reviewed Mr. Lunde's report and have found that he has approved the rule as proposed. He has a number of areas to be clarified

and language to be reworded. However, all of the proposed changes that were published in the State Register prior to the Hearing and all of the changes proposed at the Hearing have been approved by Mr. Lunde.

The Board reviewed the areas that were identified by Mr. Lunde and instructed the Board to make the corrections and clarifications as recommended by Mr. Lunde. A motion was made by Banal to adopt the rule changes as proposed. Dr. Pyle declared that there would be a problem with adopting the proposal at this time. He said that final action on the rule must be delayed for five working days after receiving the Administrative Law Judge's report.

Mr. Paul Strandberg, Special Assistant Attorney General, representing the Board was asked to develop language to allow the Board to make a decision at this time. Dr. Banal rescinded his motion. Dr. Banal moved the following resolution to adopt the proposed rule changes.

> "RESOLVED, provided that no comments in opposition to the proposed rules are received by the Board prior to the 15th day of January, 1988 that the rules relating to the Control of Pseudorabies, Parts 1705.2400 to 1705.2530; Importation of Swine--Parts 1700.2590 to 1700.3010; Sale of Livestock at Auction Markets, Consignment Community, and Other Sales--Parts 1715.0210 to 1715.0580; State-Federal Approved Markets for Swine--Parts 1715.0590 to 1715.0770; and Public Stockyards--Parts 1715.1270 to 1715.1480 be and they hereby are approved and adopted January 15, 1988, pursuant to authority vested in us by Minnesota Statutes § 35.03 and that Dr. T. J. Hagerty, the Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law. Should comments in opposition be received prior to January 15, 1988, the Executive Secretary is directed to schedule a meeting via conference call to consider and act upon the comments and the rule. Notice of, and opportunity to hear and participate by the public at any telephone meeting shall be provided as required by law."

Dr. Hurley seconded the motion and it passed with all voting aye.

APPROVAL OF CHANGE OF IDENTIFICATION OF CULL BOARS AND SOWS

Dr. George Keller of the Brucellosis and Tuberculosis Division joined the meeting at this time. Dr. Keller discussed with the Board the request of the United States Department of Agriculture requiring the States to change from the present practice of slap tattooing cull boars and sows, for identification

purposes, to a system of back tagging. He explained that because processing plants were now using a skining process on swine carcasses rather than dehairing that the slap tattoo was no longer acceptable. USDA had requested that this change take effect on October 6, 1987. The Executive Secretary had written to the Administrator of APHIS requesting permission to delay this change for 12 months. The purpose of this was to give the Board adequate time to explain to those responsible for doing the identification the need for and method of the back tagging procedure. Dr. Keller referred to Board of Animal Health rule 1720.1720 regarding this issue. Dr. Keller quoted Minnesota Board of Animal Health rule Chapter 1720, Part 1720.1720, Identificatioin Code. Tattoos or other identification shall be applied as directed by the Board, using a code approved by the Board which will identify the herd of origin of the sows, boars, and stags.

Upon Dr. Keller's suggestion, Mr. Delaney moved that beginning in January, 1988 the official USDA swine back tag shall be the primary method in Minnesota for identifying sows, boars, and stags to the farm of origin. Official eartags and tattoos may be used only when authorized by the Executive Secretary of the Board of Animal Health. This motion was seconded by Hurley and passed with all voting aye.

CHANGE OF AGE FOR TESTING TURKEYS

Dr. Keith Friendshuh Veterinarian in Charge of Poultry and Miscellaneous Diseases joined the Board at this time to discuss the request by the Turkey Industry that the Board consider adopting a resolution to reduce the minimum age of testing turkeys for salmonella and mycoplasmas from 4 months of age to 3 months of age.

Dr. Friendshuh and Mr. Huisinga explained that in December of 1987 the General Conference Committee of the National Poultry Improvement Plan (NPIP) approved the reduced testing age for turkeys. This change was effective immediately. General approval will be requested by the NPIP Conference in June of 1988.

Dr. Friendshuh referred to Minnesota Board of Animal Health rule Chapter

1710, Part 1710.0660 Minimum Testing Age. All poultry signed up for participation under Parts 1710.0560 to 1710.0580 shall be at the minimum testing age described below; provided, such age limits may be adjusted with Board approval to avoid conflict with cooperative program changes.

a. Turkeys and chickens, over 4 months of age.

b. Other poultry, over 4 months of age, or in some game birds when they reach sexual maturity.

The Turkey Industry has requested that the Board adopt this change because of improvements in the growth rate of turkeys. Because of their rapid growth they must be culled after testing at 4 months of age at which time they are past their prime market weights.

This is the official testing of breeder flocks. Dr. Friendshuh referred to the Board of Animal Health rules 1710.0660 which allowes Board action in this situation. Following discussion on the matter, Huisinga moved and Delaney seconded the motion to approve the reduction of the testing age from 4 months to 3 months of turkeys, all voted aye and the motion passed.

DATE AND LOCATION OF NEXT MEETING

The next meeting of the Board of Animal Health will be held at 9:30 a.m., Thursday, April 14, 1988 at the Board offices at Room 160, Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota.

ADJOURN

A motion was made by Hurley and seconded by Delaney and passed unanimously to adjourn at 12:00 p.m.

Respectfully submitted

Secretary

MINUTES OF THE THURSDAY, APRIL 14, 1988 MINNESOTA BOARD OF ANIMAL HEALTH QUARTERLY MEETING

The Board of Animal Health held its second quarterly meeting of 1988 at 9:30 a.m., Thursday, April 14, 1988 in the Board offices at 90 W Plato Blvd., St. Paul, Minnesota. Board members Mr. Herbert Halvorson, Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, and Mr. Theodore G. Huisinga were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey.

ELECTION OF OFFICERS

The meeting was called to order by the Executive Secretary, Dr. T. J. Hagerty. Dr. Hagerty asked for nominations for the office of President. A motion was made by Mr. Delaney and was seconded by Dr. Hurley to nominate Mr. Halvorson for the office of President. There being no further nominations, Mr. Halvorson was unanimously elected President of the Board. Mr. Halvorson then assumed the President's chair and asked for nominations for Vice President. Dr. Banal moved and Mr. Huisinga seconded that Dr. Sharon Hurley be nominated for the position of Vice President. There being no further nominations all voted aye and Dr. Hurley was named Vice President.

NOTICE OF MEETING

President Halvorson informed the Board that the notice of the meeting was published in the March 7th issue of the State Register.

APPROVAL OF MINUTES

The Minutes of the January 7, 1988 meeting were approved as presented on a motion by Hurley and seconded by Banal and passed with all voting aye.

President Halvorson reported to the Board that Dr. Sharon Hurley had been reappointed to the Board of Animal Health to a four year term by Governor Perpich on January 26, 1988.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

President Halvorson asked the Board if there were any additional items that they wished to add to the Agenda. Dr. Banal indicated that he had information

regarding computerization of records by Mr. Dale Melin, a feeder pig dealer from Sauk Center, that he would like to discuss. This item was added to the Agenda.

President Halvorson asked the Executive Secretary for background information on Agenda item 7, Imports into State-Federal Markets. Dr. Hagerty reported to the Board that two state-federal market operators had indicated that they were concerned about the restrictions on feeder pigs imported into Minnesota. He added that a representative of the Zumbrota Minnesota Auction Market and the Harmony Minnesota Auction Market would be in attendance at the meeting to discuss their concerns. The rule restricts feeder pigs coming into Minnesota in that a health certificate must be issued and a permit secured prior to the entry of any lot of pigs. Under the new rules this includes pigs coming directly from a farm of origin to a state-federal approved market.

At this point the Board was joined by Dr. Robert Pyle, Veterinarian in Charge of the Imports and Markets Division, Dr. John Landman, Pseudorabies Coordinator, Dr. John Anderson, Market Veterinarian at the Zumbrota Livestock Auction Market, Zumbrota, Minnesota, and Mr. John Ryan, operator of the Harmony, Minnesota Livestock Auction Market.

PSEUDORABIES PROGRESS REPORT

Dr. Walter J. Mackey, Veterinarian in Charge of Pseudorabies, reported to the Board on the progress of the pseudorabies program. He discussed the new pseudorbies rule that became effective on March 1, 1988. He indicated the dates that are important in the phased in approach and the zoning of the state. He also discussed the priorities that had been placed on the activities to be pursued in the rule. The significant points that were brought up included the pseudorabies monitored herd program with the voluntary and mandatory aspects of the program and the change of requirements to one negative test of the breeding herd for release of quarantine.

Dr. Mackey discussed the surveillance methods that are now available to

the Board under the new rule. In addition to tracebacks from quarantined herds the Board will also be testing all herds within a one mile radius of all qualified negative herds, all quarantined herds in the northern zone, and all herds statewide quarantined after March 1, 1988. Dr. Landman discussed the herd monitoring program as provided in the pseudorabies rule. He reported that there were now 785 herds that had been tested and seven herds found to have one or more positive animals. Three of these herds are in the northern zone and four are in the southern zone. This is less than a one per cent rate that had been anticipated. Dr. Landman indicated that he expected 2500 to 3000 herds to be monitored by July 1, 1988 when the mandatory phase begins in the northern zone.

Dr. Banal brought to the Board's attention an example of reporting of feeder pig sales by the dealers using the computer. Dale Melin Feeder Pig Company of Sauk Centre sent some proposed printouts with Dr. Banal to discuss with the Board. Dr. Pyle, who is responsible for the markets, will review the proposed computer report and discuss this with Dale Melin.

DISCUSSION OF FEEDER PIG IMPORTS TO STATE/FEDERAL APPROVED MARKETS

Dr. John Anderson and Mr. John Ryan came before the Board to discuss their concern with the requirement of a health certificate and permit for all pigs coming into Minnesota including all those coming directly from a farm of origin to a state-federal approved market. Dr. Pyle indicated that with the requirement that all pigs coming into Minnesota originate from a monitored herd, it was important that this be certified by a veterinarian at the farm of origin by the use of a health certificate. The alternative is to make the veterinarian at the receiving market assume the responsibility of making a determination of the monitored status of the pigs. Dr. Anderson and Mr. Ryan suggested that the producers delivering the pigs to the market should be responsible for providing the market with proof of monitored status. They suggested that this be by use of a test chart or a monitored herd card.

Dr. Hagerty said that the State Veterinarian's office in Iowa had discussed the possibility of issuing monitored herd status cards to Iowa producers that had tested the required number of breeding animals according to Iowa's proposed rules. He also had been in communication with the State Veterinarian's office of Wisconsin, which is a low prevalence state. Wisconsin will not require the testing of breeding herds that are supplying feeder pigs. They suggested that the Board may wish to require a health certificate on record at least annually from each producer supplying pigs to a Minnesota state/federal market. The Board was reluctant at this point to make changes in this rule but realized that a significant problem may develop in this case if no change is made.

Dr. Pyle suggested proposed language that could be inserted into the rule using the noncontroversial process of rule promulgation. He said that it was possible that such a change could be in place by July 1, 1988. He proposed the following language to the Board of Animal Health rule, "Importation of Swine, part 1700.2700, requirement for certificate of veterinary inspection." "All domestic and feral swine imported into Minnesota must be accompanied by a certificate issued by an accredited veterinarian, except; Slaughter swine consigned to a public stockyard; slaughter swine consigned to a market operating under a permit from a Board; Feeder swine consigned to a state-federal approved swine market as defined in part 1715.0590, subpart 10, from a farm of origin in an adjacent state; and swine going directly to slaughter at a slaughtering establishment having federal inspection." He also prposed the following: State-Federal Approved Markets for Swine, part 1715.0760, Movements into Markets, subpart 4b. "Feeder pigs from markets in other states." "Subpart 4c, "feeder pigs from farms of origin in other states. Feeder pigs originating from farms of origin in adjacent states may enter provided the seller presents an official PRV monitored herd test record or feeder pig monitored herd card." "Subpart 4d, feeder pigs from farm of origin in low prevalence states. Feeder pigs originating from a farm of origin in low prevalence states may enter the market

provided the consignor furnishes proof of residence and proof of origin of the feeder pigs." Dr. Banal indicated reservation with changing the rule before there has been an opportunity to use it.

The Board discussed this proposal at length. A motion was made by Delaney and seconded by Huisinga to adopt the language to the two rules as proposed. Delaney, Huisinga, Hurley and Halvorson voted aye, Banal voted no and the motion passed. Dr. Pyle was instructed to begin the rule change process immediately.

PSEUDORABIES TRACEBACK FROM SWINE SLAUGHTER ESTABLISHMENTS

Dr. Hagerty reported to the Board that he had received from the Wisconsin Department of Agriculture six reports of slaughter monitoring tests beginning on February 16, 1988. The Wisconsin Department of Agriculture tests cull sows and boars at a number of slaughter plants in several states. The blood is drawn at the slaughter plants and sent to the Wisconsin Department of Agriculture's Laboratory. The latex test is used as the screening test on these swine sera. A number of these now are being identified as Minnesota hogs. Positive tests on swine from 12 Minnesota herds have been reported to the Board. Dr. Hagerty asked for a discussion on the advisability of bringing this to the attention of these swine owners. Following discussion on the matter the Board instructed the Executive Secretary to notify these herd owners of the test results and to work with the producers to determine the herd status.

APPOINTMENT OF EXECUTIVE SECRETARY

The Executive Secretary provided for the Board a synopsis of his activities for the past year. He also provided to the Board the salary range that the State has approved for increases for Executive Secretaries. Following a discussion on the appointment during which the Board indicated their satisfaction with the performance of Dr. Hagerty, Mr. Delaney moved and Mr. Huisinga seconded the motion that Dr. T. J. Hagerty be reappointed as Executive Secretary of the Minnesota Board of Animal Health and that an increase in salary is approved at the maximum rate provided under the managerial compensation plan that becomes effective July 1, 1988.

NEXT MEETING

The Board will meet on Wednesday, June 15, 1988 in Morris, Minnesota. The Executive Secretary was instructed to secure a site for the meeting and to prepare the necessary notices of the meeting.

ADJOURN

A motion was made by Delaney and seconded by Banal and passed unanimosly to adjourn at 12:30 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ANIMAL HEALTH MEETING HELD ON JUNE 15, 1988 AT THE SUNWOOD INN AT MORRIS, MINNESOTA

A special meeting of the Board of Animal Health was held at 9:30 a.m. on Wednesday, June 15, 1988 at the Sunwood Inn in Morris, Minnesota. The members present were Dr. Sharon Hurley, Mr. Jack Delaney, Dr. Henry Banal and Mr. Ted Huisinga. Mr. Herbert Halvorson, President of the Board, had resigned effective May 26, 1988 to take the position of Assistant Commissioner of Agriculture for Minnesota. The Executive Secretary of the Board, Dr. T. J. Hagerty, and Dr. Walter Mackey, Assistant Secretary, were present. Also in attendance were Dr. H. J. Ruebke and Dr. L. A. Zehrer, district veterinarians for the Board. Also present were Dr. Gene Anderson, practicing veterinarian from Morris, Mr. Steve Quackenbush, President of the Stevens County Pork Producers Association, and State Senator Charley Berg of Chokio, Minnesota. The meeting was called to order by Vice President Sharon Hurley.

NOTICE OF MEETING

Dr. Hurley noted that the notice of this special meeting was published in the State Register on May 2, 1988.

MINUTES

The Minutes of the April 14, 1988 meeting were approved on a motion by Banal and seconded by Delaney with all voting aye.

AGENDA APPROVAL BOARD MEMBERS INPUT

The Board members had no additional items to add to the agenda which was delcared approved by Vice President Hurley.

ADOPTION OF THE IMPORTATION SWINE RULE PARTS 1700.2590 TO 1700.3010 AND OF THE STATE-FEDERAL APPROVED MARKETS FOR SWINE PARTS 1715.0590 TO 1715.0770

Dr. Hagerty explained to the Board that the Board of Animal Health rules Part 1700.2590 to 1700.3010 and Part 1715.0590 to 1715.0770 had been sent through the rule making process via the non-controversial route. The rules had been published in the State Register on May 2, 1988 and also had been sent to the list of people requesting rule change announcements. There was no response from the public. On a motion by Delaney and seconded by Huisinga with all voting aye the following rule was adopted.

RESOLVED" that the rule relating to Requirement for Certificate of Veterinary Inspection Part 1700.2700 and movement into Markets Part 1715.0760 be and is hereby approved and adopted, pursuant to Authority vested in us by Minnesota Statutes Section 35.03, 1980 and that Dr. T. J. Hagerty Executive Secretary of the Board of Animal Health, be and hereby is authorized to sign an order adopting this rule and further is authorized to perform the necessary acts to provide that this rule shall have the force and effect of law."

PSEUDORABIES PROGRAM PROGRESS

Dr. Mackey reported on the progress of the pseudorabies monitored herd program. He reviewed the events leading up to the present activity on pseudorabies. He reported on the number of herds that have been monitored to date, and on the number of herds found to be infected and distributed maps indicating where the monitored herds and the infected herds were located. The Board and the visitors spent time discussing this program, its objectives and the progress to date.

PSEUDORABIES SURVEILLANCE PROGRAM

Dr. Hagerty reported on the market swine identification or MSI surveillance program. On May 9, 1988 USDA began testing cull boars and sows that are being slaughtered at the John Morrell Processing Plant in Sioux Falls, South Dakota. Minnesota also receives slaughter reports from the Ampac plant in Chicago, Illinois and six other plants throughout the Midwest that are part of the Wisconsin slaughter surveillance program. Dr. Hagerty discussed the testing methods being used at these plants and the procedures that the Board follows in reporting the positive animals to the herd of origin.

Dr. Mackey reported on the circle testing method of surveillance that is being used around qualified negative herds and infected herds. At the present time there are 162 qualified negative herds in Minnesota and 409 infected and quarantined herds. Dr. Mackey reported that a letter had been sent to all qualified negative herd owners asking them to identify producers that are within a one mile radius of their herd. To date 62 herd owners have

reported back. The Board members indicated that they want the staff to follow up on the 100 who have not yet reported back. This situation will also be discussed with the Pseudorabies Advisory Committee on June 24th, 1988.

BOARD VACANCY

The Board discussed the vacancy that has occurred due to Mr. Halvorson's resignation. It was suggested that the Governor be encouraged to fill this vacancy as soon as possible. Representation from the industry is extremely important. It was suggested that the Secretary draft a letter for Dr. Hurley's signature and be sent to the Governor on this matter.

ELECTION OF OFFICERS

The Board felt it was important that a President be elected and that the position be filled at this time. A motion was made by Huisinga and seconded by Banal to nominate Hurley to the position of President. There being no further nominations all voted aye and Dr. Hurley assumed the position of President. A motion was then made by Banal and seconded by Hurley to nominate Jack Delaney for the position of Vice President. There being no further nominations all voted aye and Mr. Delaney assumed the role of Vice President.

DATE AND LOCATION OF THE NEXT MEETING

The Board will meet on Thursday, September 22nd at the Board offices at 90 W. Plato Blvd. in St. Paul, Minnesota.

A motion was made by Banal and seconded by Huisinga and approved with all voting aye to adjourn at 11:45 a.m.

Respectfully submitted

Secretary

MINUTES OF THE MINNESOTA BOARD OF ANIMAL HEALTH FOR THE THIRD QUARTERLY MEETING OF 1988 HELD ON SEPTEMBER 22, 1988

The Board of Animal Health held its third quarterly meeting of 1988 at 9:30 a.m., Thursday, September 22nd, 1988 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, Mr. Theodore G. Huisinga, and Mr. Allan Routh were present as was the Executive Secretary, Dr. T. J. Hagerty.

NOTICE OF MEETING

President Hurley informed the Board that the notice of the meeting was published in the State Register on August 15, 1988.

THE MINUTES

The Minutes of the June 15, 1988 meeting were declared approved by President Hurley after hearing no additions or corrections.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

The Board members had no additional items to add to the Agenda which was declared approved as presented by President Hurley.

NOTICE OF APPOINTMENT

Dr. Hurley noted, for the record, that Allan Routh of 415 South Cedar, Owatonna, Minnesota had been appointed to the Board of Animal Health by Govenor Rudy Perpich. Mr. Routh has been appointed to the Board to fill the vacancy created when Mr. Herbert Halvorson of Hanska, Minnesota resigned May 29, 1988. This appointment is effective September 12, 1988 and will expire on the first Monday in January, 1991.

REPORT ON SALMONELLA ENTERITIDIS

Dr. Keith Friendshuh, the Veterinarian in Charge of Poultry and Miscellaneous Diseases, came before the Board to report on the diagnoses of Salmonella Enderitidis in two flocks of chickens producing table eggs. He indicated to the Board that he was meeting with officials from the Department of Agriculture and the Department of Health to chart a course of action for this disease in table egg producing chicken flocks.

The Board has had a Salmonella Pullorum-Typhoid testing program for turkey breeding flocks for a number of years. He is proposing to institute this program for chicken flocks. This will require additional technician time and material at the Poultry Testing Laboratory at Willmar, Minnesota. He is also proposing to test market flocks as well as enviromental samples and feed samples for the S. enteritidus organism.

A motion was made by Huisinga and seconded by Banal to approve additional salmonella testing pending approval by the industry. All voted aye and the motion carried. Dr. Banal requested that Dr. Friendshuh keep the Board members updated on the S. enteritidus situation.

PSEUDORABIES UPDATE

Dr. John Landman, Pseudorabies Coordinator, came before the Board to report on the progress of the pseudorabies program. Dr. Landman discussed the summary of the activities related to pseudorabies. He reported that in 1988 to date 118 herds have been disclosed and quarantined. The accumulated total of quarantined herds is now 432 herds. He reported on how those herds had been identified.

Dr. Landman stated that as of September 1, 1988 there were 4,015 feeder pig producing herds that had been tested in Minnesota. Of these, 49 herds (1.2%) were found to be infected. 3,097 herds were tested in the northern zone with 15 infected herds or .5 per cent, 919 were tested in the southern zone with 34 infected herds or 3.7 per cent. Dr. Landman went on to discuss the slaughter surveillance program of cull boars and sows. He indicated that the Board is receiving reports from the Ampac plant in Chicago, Brat Company of Watertown, Wisconsin, John Morrell of Sioux Falls, South Dakota, and Abbyland Pack of Wisconsin. He has been sending a letter to every herd owner that has been identified with a positive animal at slaughter and offering to test in the herd to determine the status of the herd. This is optional for producers in the southern zone. In the northern zone it is mandatory that the traceback be done. To date four herds have been identified as being positive on traceback

from slaughter positives. These are all in the southern zone.

Another part of the surveillance program is to test all herds of swine within a one mile radius of the 167 qualified negative swine herds in Minnesota. Dr. Mackey has sent letters to all of these herd owners asking that they respond by identifying the premises with swine on them within the one mile radius. At the present time 75 herd owners have responded. A second letter has been sent out to the remaining owners of which approximately 10 have responded. Dr. Landman asked the Board for guidance on how to proceed with those herd owners who have not responded. The question is - Should the Board go ahead and test around those herd owners who have not indicated who their neighbors are or should the responsibility be on those qualified negative herd owners. After considerable discussion the Board directed the Executive Secretary to send another letter with the next quarterly reminder to the herd owners who have still not responded indicating that if they do not respond at this time the Board will not proceed with any testing within the one mile radius of their premises.

PRV/MARKER PRV VACCINE - AGRITECH TEST

Dr. Hagerty reported to the Board that SynthroVet Companies' pseudorabies vaccine PRV/marker has been available for approximately two months and that the accompanying test kit, Herd Check, of AgricTech Company of Portland, Maine has been licensed by USDA. He recommended that the Board consider making the Herd Check test kit an approved test for use in the pseudorabies monitored feeder pig program only. Following a discussion of the matter Mr. Delaney moved and Mr. Routh seconded the motion to make the AgricTech test kit Herd Check an approved test for use in the pseudorabies monitored feeder pig program. All voted aye and the motion carried.

PSEUDORABIES ADVISORY COMMITTEE RECOMMENDATIONS

The Secretary noted that on June 24, 1988 the Pseudorabies Advisory Committee met at 10:00 a.m. in North Mankato, Minnesota. The Advisory Committee made two recommendations to the Board at that meeting. The Committee recommended

that feeder pigs be allowed to be imported into Minnesota to go to the swine test station at New Ulm without having to meet the import requirements of originating from a monitored or a qualified negative herd or be tested negative for PRV. The Committee also recommended that the Board promote voluntary cleanup of pseudorabies infected herds rather than mandatory cleanup and that herd cleanup proceed in the areas of lesser infection before attempting to clean up in the heavily infected counties of the state. The Board stated that since the import rule Parts 1700.2590 - 1700.3010 allows for no exceptions the Board would not implement the request to allow feeder pigs to enter the State without meeting the requirements. The Board was in agreement with the recommendation to clean up the least infected geographic areas first.

REPORT ON TUBERCULOSIS TESTING IN MINNESOTA

Dr. William Hartmann, Veterinarian in Charge of Brucellosis, Tuberculosis and Paratuberculosis, came before the Board to report on tuberculosis testing of cattle in Minnesota.

In July of 1988 two animals were diagnosed at slaughter as having tuberculosis. These were beef cows from a ranch in North Dakota and were slaughtered at a packing plant in Fargo, North Dakota. The herd of origin was identified and the cattle in this herd were tested as were the cattle in two contact herds. There were approximately 1500 cattle in Minnesota on pasture from North Dakota that had contact with cattle from these three herds. These cattle were tested in August and September of this year (1988) and all were found to be negative. These cattle will be returning to North Dakota following the end of the pasture season. Cattle that were purchased by Minnesota cattlemen from the original three herds have gone to slaughter under a Federal indemnity program. We believe that there are no infected cattle from these herds in Minnesota.

PRELIMINARY BUDGET REQUEST FOR FY '90 - FY '91

Dr. Hagerty provided the Board with a proposed budget request for the pseudorabies program for the next biennium. The projected expenses related

to the program are $801,000 each year of the biennium. Seven hundred and fifty thousand dollars will be requested each year of the biennium from the Legislature. We aniticipate that we will receive approximately $100,000 in federal funds each year of the biennium.

The Board instructed the Secretary to proceed with the proposed pseudorabies budget request and to inform the Pseudorabies Advisory Committee and the Minnesota Pork Producers Association of the request.

DATE AND LOCATION OF NEXT QUARTERLY MEETING

The Board will meet on Thursday, December 15, 1988 at 9:30 a.m. at the Board offices in St. Paul, Minnesota for the fourth quarterly meeting of 1988.

ADJOURNMENT

A motion was made by Banal and seconded by Huisinga to adjourn the meeting at 12:30 p.m. All voted aye and the motion passed.

Respectfully submitted

Secretary

MINUTES OF THE MINNESOTA BOARD OF ANIMAL HEALTH FOR THE FOURTH QUARTERLY MEETING OF 1988 HELD ON DECEMBER 15, 1988

The Board of Animal Health held its fourth quarterly meeting of 1988 at 9:30 a.m., Thursday, December 15, 1988 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, and Mr. Allan Routh were present as was the Executive Secretary, Dr. T. J. Hagerty. Mr. Theodore G. Huisinga, Board member, was absent.

NOTICE OF MEETING

President Hurley informed the Board that the notice of the meeting was published in the State Register on November 21, 1988.

MINUTES

The Minutes of the September 22, 1988 meeting were declared approved by President Hurley after hearing no additons or corrections.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

The Board members had no additional items to add to the Agenda which was declared approved as presented by President Hurley.

DISPOSITION OF CATTLE TESTED FOR TUBERCULOSIS

Dr. William Hartmann, Veterinarian in Charge of Brucellosis and Tuberculosis, reported to the Board on the disposition of the cattle from North Dakota that were in Minnesota on pasture and had been in contact with a tuberculosis infected herd in North Dakota. He indicated that approximately 1500 contact cattle had been tested. All had tested negative on the caudal fold test. The cattle that were in Minnesota for summer pasture have all gone back to North Dakota for a second test and that second test is negative. Animals that were purchased by Minnesota residents were tested a second time in Minnesota and were negative on the second test. Dr. Hartmann is satisfied that no tuberculosis infected cattle came into Minnesota from North Dakota. There are no cattle quarantined for tuberculosis in the state.

THE BIENNIAL BUDGET REQUEST

Dr. Hagerty presented the biennial budget request to the Board. In addition to the base budget request of $3,384,000, the Secretary proposed $1,928,000 in change requests. This proposal includes $1,544,000 for the pseudorabies program, $90,000 for salmonella testing, $68,000 for data processing equipment, $208,000 for additional law compliance personnel, $8,000 for Avian Influenza testing and $10,000 for dog and cat dealer inspection. The total request was $5,312,000. Dr. Hagerty reported that the Department of Finance recommended to the Governor the approval of the $68,000 for data processing equipment, and the $10,000 for dog and cat dealer inspection. However, only $248,000 was approved for the pseudorabies control program. The budget recommendation of the Department of Finance is $3,710,000. This is approximately a 10 per cent increase over the 1988-89 biennium of $3,384,000. The Secretary indicated that the $248,000 approved by Finance would not be sufficient to cover the requirements of the pseudorabies rule which includes circle testing around newly infected herds, slaughter surveillance, and traceback testing from newly infected herds. Those three items alone are expected to cost over $200,000 each year of the biennium.

PSEUDORABIES UPDATE

Dr. Hagerty informed the Board that there is about $70,000 left in the Budget for the pseudorabies program for the remainder of the fiscal year. He said that he expected to receive about $125,000 in Federal monies for FY '89. That is not sufficient funding to pay for both the monitored feeder pig program and the circle testing and traceback testing. Dr. Hagerty recommended that the monitored feeder pig program funding be discontinued as of December 31, 1988. The Board had agreed to pay the Laboratory costs of the program throughout 1988. The Board asked if it might be possible to pay only for initial tests for herd owners just entering the program. Dr. Hagerty indicated that this would be extremely difficult to do since there are over 4600 herds to be retested plus an anticipated three to four thousand herds to be tested

for the first time in 1989. Following discussion on the subject a motion was made by Routh and seconded by Banal that due to lack of funds the Board will discontinue paying the Laboratory fees for the pseudorabies test on blood drawn for the monitored feeder pig program after December 31, 1988. All voted aye and the motion carried.

Dr. Landman described the surveillance program for identifcation of pseudorabies infected herds. He reviewed the monitored herd program and discussed the slaughter traceback program. Dr. Landman said that at the present time there have been 4580 herds tested for the monitoring program statewide and of these 62 herds were found to be infected. In the northern zone alone 3348 herds were tested with 15 found to be infected. In the southern zone 1232 herds were tested with 47 herds found to be infected.

There have been 106 swine herds tested on tracebacks done on the slaughter program with six herds found to be infected. All of these herds are in the southern zone. There are now 426 swine herds under quarantine for pseudorabies in Minnesota. Dr. Landman reported that approximately 100 qualified negative herds had circle testing done around them with one infected herd identified.

Dr. Landman reported that the Iowa requirements for importation of feeder pigs from monitored herds was now in place. He told the Board that Iowa has begun a voluntary pseudorabies monitored feeder pig program also.

Mr. Routh discussed a pseudorabies funding proposal that has been suggested by the Minnesota Pork Producers Association. This proposal requests of the Legislature $250,000 each year of the biennium for research on cleanup of large herds. The proposal also suggests that rules be put in place to monitor all herds in the State and to require that all infected herds be on a cleanup program. This information will be forwarded to the Pseudorabies Advisory Committee.

The next meeting of the Pseudorabies Advisory Committee was set for Friday, February 10, 1989 at a location to be determined. The Secretary will secure a location and send notices to the members of the Advisory Committee.

A final draft of the Pseudorabies Program Standards was distributed to the Board members. This is a document that has been approved by the United States Animal Health Association and forwarded to the United States Department of Agriculture for consideation.

SUMMARY OF AVIAN INFLUENZA IN MINNESOTA

Dr. Friendshuh came before the Board to discuss the Avian Influenza situation. At this time there are 229 infected turkey flocks on 172 premises in Minnesota. This is the most flocks found to be infected in recent years. In 1978, 140 infected flocks were identified. There have been no severe losses in any of the flocks this year. One chicken flock has been identified. This a broiler breeder flock located in the Central part of the state. It has the same influenza virus type as turkey flocks in the same vicinity.

DISCUSSION ON SALMONELLA ENTERITIDIS

Dr. Friendshuh discussed with the Board the salmonella enteritidis problem. He reported that the Board has a voluntary breeder flock testing program which is being conducted by the Willmar Poultry Testing Laboratory. There is no program on commercial flocks producing table eggs. He reported that there has been 80 human cases of salmonella enteritidis reported by the Minnesota Department of Health this year. Normally there are approximately 40 cases per year.

ANNUAL REPORT

Dr. Hagertry distributed the Annual Report to the Board and indicated that this had been distributed to the Legislature.

BOARD MEMBER POSITION

Dr. Henry Banal's four year term on the Board will end in January of 1989. Dr. Banal is interested in being reappointed and has applied for reappointment. The Board members support his reappointment.

NEXT MEETING

The next quarterly meeting of the Board of Animal Health will be held on Tuesday, February 28, 1989 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota.

ADJOURNMENT

Dr. Banal moved and Mr. Delaney seconded and the motion passed to adjoun.

Respectfully submitted,

Secretary

MINUTES OF THE MINNESOTA BOARD OF ANIMAL HEALTH MEETING FOR THE FIRST QUARTER OF 1989 HELD ON FEBRUARY 28, 1989

The Board of Animal Health held its first quarterly meeting of 1989 at 9:30 a.m., Tuesday, February 28, 1989 in the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. Board members Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, Mr. Theodore Huisinga, and Mr. Allan Routh were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey.

NOTICE OF MEETING

President Hurley informed the Board that the notice of the meeting was published in the State Register on January 30, 1989.

MINUTES

The Minutes of the December 15, 1988 quarterly Board meeting were declared approved as presented by President Hurley.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

Mr. Delaney asked that a discussion on ringworm and warts in cattle presented for exhibition be added to the Agenda.

PSEUDORABIES PROGRESS

Dr. Mackey reported on the pseudorabies monitored program that began January 1, 1988 through December 31, 1988. Dr. Mackey reported that as of February 3, 1989, 4,831 swine herds had been monitored with 80 herds or 1.7 per cent found to be infected. Three thousand four hundred and forty-one (3,441) of these herds were in the northern zone of which 15 or .44 per cent were found to be infected. One thousand three hundred and ninety (1,390) of these herds were in the southern zone of which 65 herds or 4.7 per cent were found to be infected.

Dr. Mackey indicated that a total of 169 swine herds were found to be infected and quarantined in 1988. As of February 7, 1989, 471 swine herds were under quarantine for pseudorabies in Minnesota. Of these, 12 herds are

in the northern zone with the remainder in the southern zone. Ten (10) of these quarantined herds were qualified negative seedstock herds. This brings to 75 the number of qualified negative swine herds that became positive for pseudorabies in the past eight (8) years. Circle testing done around infected herds has identified fourteen (14) infected herds to date. Circle testing around qualified negative herds has disclosed only one (1) infected herd to date. Since the Board began its pseudorabies quarantine program in 1975, 1,217 swine herds have been found to be infected with pseudorabies, 471 of which are currently under quarantine.

Dr. John Landman, Pseudorabies Coordinator, reported on the pseudorabies slaughter plant survelliance program. One hundrerd and fifteen (115) swine herds have been tested due to traceback from slaughter with seven (7) of these herds found to be infected. Forty-six (46) herds were tested in the northern zone of which all were negative. In the southern zone 69 herds were tested of which seven (7) were found to be infected. These positive herds are located in Sibley, Redwood, Mower, Blue Earth, and Yellow Medicine counties. These herds are being disclosed due to the USDA sow and boar slaughter testing program for PRV which is made possible by the USDA mandatory swine identification program.

REPORT OF THE PSEUDORABIES ADVISORY COMMITTEE

Mr. Allan Routh, Chairman of the Pseudorabies Advisory Committee, reported on the meeting held on February 10, 1989 at the Happy Chef Restaurant in Mankato, Minnesota. The progress of the pseudrabies program both in Minnesota and in surrounding states as well as nationwide was discussed at the Committee meeting. Progress on the monitored herd program and the slaughter surveillance program was discussed by Dr. Mackey and Dr. Landman. Dr. Bob Morrison of the University of Minnesota reported on genetically engineered vaccines and the differentiable tests. Dr. Hagerty reported on the funding for the FY '90 - '91 biennium.

Mr. Routh discussed the Minnesota Pork Producers Association alternative proposal for pseudorabies control. This plan recommends that all Minnesota producers be required to monitor their herds annually. This would be phased in with producers in the northern zone required to begin by January, 1990 and producers in the southern zone by January 1991. The suggestion is that the producers would be responsible for the cost of drawing the blood and the State would be responsible for the Laboratory fee. The plan calls for a feeder pig market for quarantined herds. These pigs could be purchased only by qualified buyers. The plan recommends that quarantines of infected herds be released by statistical testing with followup testing. The genetically engineered vaccines with differentiable tests would be recognized for quarantine release. It is recommended that all herds in the northern zone be on a cleanup program by January 1, 1990 and that all herds statewide would be on a cleanup program by January 1, 1991.

Mr. Routh pointed out that the dates of 1990 and 1991 are not necessarily meant to be firm dates. Dr. Banal felt that the Minnesota Pork Producers Association should consider promoting this plan in the northern zone as soon as the Board takes a position on it.

Dr. Robert Pyle, Director of the Imports and Markets Division for the Board, discussed the implications that a quarantined feeder pig market would have. This would require a rule change that would allow quarantined animals that are brought to a market for sale could go back to the country. He suggested that the Board consider using the concept of a tele-auction which would not require that the animals be brought to a central location. This method would not require a rule change. The possibility of a street market was discussed. The Board was not in favor of that method at this time.

Dr. Hurley instructed the Secretary to develop a market proposal for feeder pigs from quarantined herds. In this proposal the staff should designate the counties to which infected feeder pigs could go. This proposal is to be submitted to the Minnesota Pork Producers Association for comment and this

item is to be put on the Agenda for the April Board meeting. The Board discussed and then instructed the Secretary to send this proposal to all members of the Advisory Committee and request a response before the April Board meeting.

POULTRY DISEASES

Dr. Keith Friendshuh, Veterinarian in Charge of Poultry and Miscellaneous Diseases, came before the Board to discuss the Avian Influenza situation to date. More cases of Avian Influenza were reported in 1988 than in any year previous. 255 flocks on 194 premises were found to be infected. The majority of the Avian Influenza virus types were $H_2 N_2$ and $H_9 N_2$. 253 of these flocks were turkeys, one flock was a chicken flock, and one was in a group of pheasants.

Avian Influenza was responsible for a major economic loss to the turkey industry in 1988 and the greatest economic loss ever for Avian Influenza in turkeys in Minnesota. This disease cost the Board over $20,000 for testing alone in 1988. Dr. Friendshuh reported that the Minnesota Turkey Growers Association has requested that the Board propose a mandatory Mycoplasma meleagridis and Mycoplasma synoviae rule to replace the present voluntary rule. He suggested that the industry is not ready to move forward on this at this time but expects to be by 1992. The industry simply wants permission from the Board to pursue the idea of a mandatory program. The primary breeders are not infected but some segments of the commercial flocks are infected. Following a discussion on the subject, President Hurley instructed the Secretary to pursue a mandatory Mycoplasma meleagridis and Mycoplasma synoviae program. Dr. Friendshuh will also explore the possibility of developing an import restriction on poults and eggs for Mycoplasma meleagridis and Mycoplasma synoviae.

REPORTABLE DISEASES

Dr. Friendshuh suggested to the Board that the following diseases be made reportable diseases; Lyme disease, Equine Viral Arteritis, and Potomac Horse Fever. The implication of making these diseases reportable would mean that

the Board would know how many cases of any of those diseases we have in the State. A motion was made by Huisinga and seconded by Routh to make Lyme disease, Equine Viral Arterities, and Potomac Horse Fever reportable diseases. All voted aye and the motion passed.

BOARD OF ANIMAL HEALTH RULE CHANGES

Dr. Friendshuh reported that Board of Animal Health rules 1720.1330 through 1720.1670 (dog and cat dealer rule) was published in the State Register on January 30, 1989. No comments have been received at this time. The comment period ends March 1, 1989. If no comments and no objections are received final action will be taken on this rule and will be reported back to the Board at the April meeting.

BLUE TONGUE DISEASE

Dr. Friendshuh reported on the present policy on blue tongue disease. When an animal is found to test positive seriologically for blue tongue a 30 day quarantine is placed on the animal. One of the district veterinarians examines the animal and if no signs of the disease are found the quarantine is released. Seventy-four (74) positive seriological tests have been reported from July 1, 1988 to December 1, 1988. Many of these are weak or inconclusive titers. Most of these titers are the result of testing animals for export where a negative blue tongue test is required. Seldom are these animals found to be exhibiting any signs of the disease. The Board discussed the matter and instructed the Secretary to develop a policy whereby quarantines would not be required for seriological positive animals. This item will be discussed at the April, 1989 Board meeting.

SALMONELLA ENTERIDITIS IN CHICKENS

Dr. Friendshuh reported that only one commercial table egg laying chicken flock has been tested for salmonella enteriditis. This flock was found negative on the official test. The breeder flocks are currently on a voluntary testing procedure. At this time salmonella enteriditis has not been diagnosed in any

egg laying flock.

RINGWORM AND WARTS ON CATTLE AT EXHIBITIONS

Mr. Delaney asked the Board to consider a policy of allowing cattle into exhibitions based on a health certificate from an attending veterinarian with a statement to the effect that warts or ringworm on the animal were in a state of remission. The Board has repeatedly taken the position that the exhibition veterinarian must make the judgment of which animals will be allowed into an exhibition. Animals showing signs of warts or ringworm are not allowed into any exhibition. Mr. Delaney states that in other states such as North or South Dakota the exhibition veterinarian will accept the statement on the health certificate of the accredited veterinarian who signed the health certificate. The Board discussed the issue and with the exception of Mr. Delaney, agreed that they were comfortable with the present policy. No further action was taken.

NEXT BOARD OF ANIMAL HEALTH MEETING

The next Board of Animal Health meeting will be held at 9:30 a.m. on Friday, April 21, 1989 in the Board of Animal Health office at 90 W. Plato Blvd., St. Paul, MInnesota, 55107.

ADJOURNMENT

A motion was made by Banal and seconded by Hurley and passed with all voting aye to adjourn at 12:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD OF ANIMAL HEALTH MEETING HELD ON FRIDAY, APRIL 21, 1989

The Board of Animal Health held its second quarterly meeting of 1989 at 9:30 a.m., Friday, April 21, 1989 in the Board offices at the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota. Board members Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore G. Huisinga, Dr. Henry Banal, and Mr. Allan Routh were present as was the Executive Secretary, Dr. T. J. Hagerty, and the Assistant Secretary, Dr. Walter J. Mackey. Also in attendance was Mr. Paul Strandberg, Special Assistant Attorney General, representing the Board.

ELECTION OF OFFICERS

A motion was made by Allan Routh and seconded by Ted Huisinga to nominate Dr. Sharon Hurley for the position of President and Mr. Jack G. Delaney for the position of Vice-president. All voted in favor of the motion and Dr. Hurley was declared President and Mr. Delaney was declared Vice-president.

NOTICE OF QUARTERLY MEETING

President Hurley noted for the record that the notice of the quarterly meeting was published in the Monday, April 3, 1989, issue of the State Register.

APPROVAL OF MINUTES

President Hurley asked for additions or corrections to the Minutes of the February 28, 1989 meeting. There being none, the Minutes were declared approved as read.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

Mr. Delaney asked that the Board consider a discussion on warts and ringworm on cattle presented for exhibition. This item was added to the Agenda.

PROPOSED CLASS B DEALER RULE 1720.1330 - 1720.1670

Dr. Friendshuh, Veterinarian in Charge of Poultry and Miscellaneous Diseases, came before the Board to request final action on the proposed rule regarding inspection of Class B dog and cat dealers, 1720.1330 - 1720.1670. Mr. Joe Beaton, an Attorney, was present. Mr. Beaton indicated that he was before

the Board representing himself and no one else. Mr. Beaton informed the Board that in the past he has acted as a lobbyist for several animal humane organizations and that he presently represents the Federation of Humane Societies on legislative matters. He indicated that he had two concerns with the interpretation of M.S. 347.31 - 347.40 as the Board of Animal Health staff has interpreted it. His first concern is with the signs required by Statute that the dealers must have on display, and secondly, with the viewing of the animals in the dealers facilities. Mr. Beaton stated that he is concerned over how dogs end up in research and not with the use of dogs for research. He reviewed with the Board M.S. 347.31 - 347.40 that was adopted in 1987 and then amended in 1988. He stated that after discussions with Dr. Friendshuh the matter of the signs was no longer a problem as he has been assured that the signs are in place. In the matter of viewing of the animals, he believes that the intent and language of the Statute is such that an individual searching for a lost pet must be allowed into the dealers facilities during the hours that the dealer must be open as required by the Statute. He stated that the present interpretation by the Board that the dealer may bring animals out to a viewing area for the public to inspect the animals does not reflect the Legislative intent. Dealers may be subject to criminal penalties for possession of stolen animals and under M.S. 346.55 they are also subject to substantial civil penalties for possession of stolen animals, it is his contention that they would not voluntarily show those animals to an individual searching for a lost pet.

Dr. Friendshuh explained how he has interpreted the statute. He said that he has allowed the dealer to bring the animals from the cage area to a common viewing area upon the request of the public. The dealers contend that the public should not be able to search throughout their entire facility when looking for a dog or cat.

Mr. Strandberg declared that both the current position of the Board and Mr. Beaton's position is defensible. Mr. Beaton suggested that the Board

interpret the Law to mean that the public has the right to enter that part of the dealers facilities where the dogs and cats are kept. Mr. Beaton explained that he is in charge of humane agent training for the federation of humane societies and that humane agents are not restricted by Statute as the general public is. As an alternative if the public was not allowed to enter the premises, they could request a trained humane agent who could enter at any time.

A motion was made by Dr. Banal and seconded by Dr. Hurley to instruct the staff of the Board to direct the Class B dealers to allow the public into their facilities during the hours that they must be open according to the Statute. Dr. Banal and Dr. Hurley voted in favor, Mr. Routh and Mr. Delaney voted against and Mr. Huisinga abstained. Dr. Hurley stated that the Board will instruct the Secretary to determine the policy to be followed. Dr. Hagerty stated for the record that he would instruct Dr. Friendshuh to prepare a letter to be sent to all Class B dealers advising them that they must allow the public to enter their facilities during the hours stated by Statute.

A motion was made by Dr. Banal and seconded by Dr. Hurley that it be resolved that the Board of Animal Health's rule 1720.1330 - 1720.1670 relating to the maintenance, operation, and inspection of kennels and dealers be adopted. All voted aye and the motion passed.

> "REVOLVED, that the rule relating to the Maintenace, Operation and Inspection of Kennels and Dealers, Parts 1720.1330-1720.1670, is approved and adopted pursuant to authority vested in the Board by Minnesota Statutes, Section 35.03, 1988. Dr. T. J. Hagerty, the Executive Secretary of the Board of Animal Health is authorized to sign the Findings of Fact, Conclusions, and Order Adopting the Rule and to perform the necessary acts to provide that the rule shall have the force and effect of law."

MANDATORY MYCOPLASMA SYNOVIAE PROGRAM

Dr. Friendshuh presented to the Board a proposed Mycoplasma program for poultry. Following a discussion of the proposal a motion was made by Mr. Huisinga and

seconded by Routh that it be

> "RESOLVED, that Dr. T. J. Hagerty, the Executive Secretary of the Board of Animal Health, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Amend a Rule without a Public Hearing governing The Control of Mycoplasma in Poultry, Parts 1710.0550-1710.0880 to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto."

The rule change is to proceed without a hearing. All voted aye and the motion passed.

Dr. Friendshuh advised the Board that the import rule must also be changed.

BLUE TONGUE DISEASE

Dr. Friendshuh reviewed for the Board the present policy of quarantining all bovine that test serologically positive for blue tongue. This policy has been in place since 1982 and was amended in 1985. There has been no evidence of spread of the disease from a serologically positive animal since that time. It has also been suggested that the vector of the disease, a biting midge, Culicoides variipennis, has not been found in Minnesota. Therefore, Dr. Friendshuh recommended that the Board adopt a policy of not quarantining serologically positive bovine animals that show no signs of the disease. A motion was made by Delaney and seconded by Banal to exempt from quarantine all cattle that are tested and are positive for blue tongue that do not show signs of the disease. All voted aye and the motion passed.

MINNESOTA PORK PRODUCERS ASSOCIATION ALTERNATIVE PROPOSAL FOR PSEUDORABIES CONTROL

Mr. Routh reviewed for the Board the alternative proposal for pseudorabies eradication proposed by the Minnesota Pork Producers Association. This proposal suggests that by January 1, 1990 all swine herds in the northern zone be required to monitor for pseudorabies. By January 1, 1991 all swine herds in the southern zone would be required to be monitored. By January 1, 1991 all quarantined swine herds in the northern zone would be required to be on a herd cleanup plan. In addition, the Board would apply for stage III in the northern

zone at this time. By January 1, 1992 all quarantined swine herds in the southern zone would be required to be on a herd cleanup plan. The proposal also recommends that release of quarantines of swine herds be based on a regime using statistical sampling as adopted in the USDA Program Standards for pseudorabies. The Board discussed this proposal with the understanding that the dates given are only suggestions to illustrate the concept and took no action on the proposal at this time.

PSEUDORABIES UPDATE

Drs. Mackey, Landman, and Hagerty discussed the progress of the pseudorabies program. Several producers have criticized the Board in recent weeks for allowing feeder pigs from quarantined herds to be moved into their neighborhoods for further finishing. A Le Sueur county pork producer's qualified negative herd was found to be positive in February of 1989. Because a swine producer with a quarantined herd had moved exposed feeder pigs from his herd into leased facilities one mile from the Le Sueur county producer's herd, the latter contends that his herd was put at undue risk.

A situation in Jackson county has been brought to the attention of the Board. In this case a feeder pig finisher who had been receiving feeder pigs from a producer in Nobles county requested to be allowed to continue to do so after the Nobles county herd was found positive and was quarantined for pseudorabies. Because there would be a change of ownership of the pigs and because the feeder pigs would be from a quarantined herd the receiving producer's premises would have to qualify as a quarantined feedlot. The receiving producer met the specifications of the rule and a quarantined feedlot permit was issued to him. The neighbors with livestock within a one mile radius of the quarantined feedlot were informed of this action. One of the producers is a monitored feeder pig producer and complained to a representative of the Board that his herd was being put at undue risk to pseudorabies. He and three neighboring swine producers requested that this permit be rescinded.

The Secretary explained to the Board that the Board of Animal Health rule

1705.2434 "Quarantined Feedlot Procedures" had been complied with by the Board in both instances and that in the opinion of the Special Assistant Attorney General, the Board did not have the authority to withhold the permit in the case of the quarantined feedlot owner if he was in compliance, nor deny the producer of the quarantined herd permission to move his exposed feeder pigs to a leased facility. Following a discussion on the matter, the Board felt that the staff had acted properly.

Dr. Mackey presented a copy of the letter that is sent to the producers within one mile of a quarantined feedlot. Following a discussion of the contents of the letter the President instructed Dr. Mackey to re-write this letter and present it to the Board for further comment.

FEEDER PIG MARKET FOR PSEUDORABIES QUARANTINED HERDS

Dr. Robert Pyle, Veterinarian in Charge of Markets and Imports, came before the Board in response to the Board's request in the February 28th, 1989, meeting for the staff to prepare a proposal for a market for feeder pigs from quarantined herds. Dr. Pyle explained that this would require a rule change in both the pseudorabies rule, parts 1705.2400 - 1705.2530 and the sale of livestock rule parts 1715.0200 - 1715.0580. He presented proposed language changes in both rules. He advised the Board that these rule changes would most likely require public hearings.

The Board discussed the proposed rule change and decided that it should be brought to the Pseudorabies Advisory Committee. It was determined that the Chairman of the Advisory Committee would be asked to convene a meeting in June. The Board instructed Dr. Pyle to proceed with the rule changes.

SYNTROVET PRV MARKER VACCINE

Dr. Hurley asked the Secretary to review the use of the SyntroVet PRV Marker vaccine in Minnesota and the use of the accompanying diagnostic, the Idexx Elisa test, "Herd Chek". The Secretary reminded the Board that they had taken action allowing the use of "PRV Marker" vaccine and the associated diagnostic in the monitored herd program. It has not been approved for use in sale of breeding stock or for quarantine release.

Dr. Hurley related that in discussions with a SyntroVet representative she had been lead to believe that the vaccine would soon be approved for use in breeding swine. The Secretary advised the Board that that was not forthcoming in the near future. President Hurley then instructed the Secretary to write to the SyntroVet Company advising them to properly inform their representatives of the approved use of the vaccine.

SWINE BRUCELLOSIS

Dr. Hagerty stated that the official test for swine brucellosis is the card test. When a pig tests positive by the card test for swine brucellosis a supplementary test, the rivanol test, is done. In many cases the rivanol test is negative. In cattle where the plate test is positive and the rivanol test is negative the animals are not considered reactors. In the case of swine that are card positive, rivanol negatives, they are considered reactors. The Secretary advised the Board that brucellosis had not been found in any herd where an animal had tested card positive, rivanol negative. Representatives of the Board presently do an investigation in all card positive, rivanol negative herds. The Secretary suggested to the Board that they adopt the rivanol test as an official test for swine brucellosis. With this being the case, Board personnel would no longer investigate rivanol negative swine tests. Following the discussion of the matter, a motion was made by Banal and seconded by Routh that the Board adopt the rivanol test as an official test for swine brucellosis. All voted aye and the motion passed. This action is in accordance with the current rule on swine brucellosis that states that other tests may be recognized by the Board as official tests.

LEGISLATIVE REPORT

Dr. Hagerty reviewed for the Board the status of the Budget request of the Board and an additional piece of legislation brought forth by the Legislature and supported by the Minnesota Pork Producers requesting 1 million dollars for the Board of Animal Health for regulatory activity in pseudorabies and $500,000 for the University of Minnesota for research in cleanup of pseudorabies

in large herds. Dr. Hagerty reported that the Governor's recommendation includes, in addition to the base budget request, $248,000 for pseudorabies control, $10,000 for Class B dealer inspection, and $68,000 for computers, for computer hardware, software, and training. This request has been approved by the House appropriations semi-state committee and will be heard by Senate Finance semi-states committee on Monday, April 24. The 1.5 million dollar legislative request has been approved by both the House and Senate Ag Committees and is waiting to be heard by the Senate Finance Committee and the House Appropriations Committee.

EXECUTIVE SECRETARY

A motion was made by Mr. Delaney and seconded by Dr. Banal that Dr. Hagerty be reappointed as Executive Secretary for FY '90 and that his salary is to be increased by the maximum allowed by the guidelines established by the Department of Employee Relations. All voted aye and the motion passed.

Due to the lack of time the warts and ringworm issue was not discussed.

DATE AND LOCATION OF NEXT MEETING

The Board set the next meeting for 9:30 a.m. on Friday, July 14, 1989 at the Board offices in the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota.

ADJOURN

A motion was made by Banal and seconded by Huisinga and approved with all voting aye to adjourn at 12:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF THE MINNESOTA BOARD OF ANIMAL HEALTH HELD ON THURSDAY, JULY 13, 1989

The Board of Animal Health held its third quarterly meeting of 1989 at 9:30 a.m., Thursday, July 13, 1989 in the Board offices at the Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, Minnesota. Board members Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore G. Huisinga, Dr. Henry Banal, and Mr. Allan Routh were present as was the Executive Secretary, Dr. T. J. Hagerty. The Assistant Secretary, Dr. Walter J. Mackey, was absent. Also in attendance was Mr. Paul Strandberg, Special Assistant Attorney General, representing the Board.

NOTICE OF QUARTERLY MEETING

President Hurley noted for the record that the Notice of the Quarterly Meeting was published in the Monday, June 26, 1989, issue of the State Register.

APPROVAL OF MINUTES

President Hurley asked for additions or corrections to the Minutes of the April 21, 1989 meeting. There being none, the Minutes were declared approved as read.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

President Hurley asked if there were any additions to the Agenda. There being none Dr. Hurley declared the Agenda approved as presented.

PROPOSED CHANGES TO THE POULTRY RULES

Dr. Keith Friendshuh, Veterinarian in Charge of the Poultry and Miscellaneous Diseases Division, came before the Board to propose to the Board that they approve his plan of incorporating all four present poultry rules into one rule. These four rules are 1710.0010, Pullorum/Typhoid, 1710.0550, Mycoplasma in Poultry, 1710.0890, Salmonella Typhi-murium Disease in Turkeys, and 1710.1210, Dealing in Poultry by Dealers.

Dr. Friendshuh explained that the purpose of these changes is to standarize definitions, to avoid repetition, to provide authority for the recently inacted U.S. Sanitation Monitored program of the National Poultry Improvement Plan (NPIP), and to reduce the costs of revising these rules. A motion was made

by Huisinga and seconded by Delaney and passed with all voting aye to approve the proposal as presented by Dr. Friendshuh.

REPORT OF PSEUDORABIES ADVISORY COMMITTEE MEETING OF JUNE 16, 1989

Allan Routh, Chairman of the PRV Advisory Committee reported that the Committee met on June 16, 1989. He stated that the Committee reviewed the pseudorabies sub-committee report on the allocation of $1,048,000 appropriated by the 1989 Minnesota Legislature for a research program in the clean up of large swine herds infected with pseudorabies and for control of pseudorabies statewide. The Board approved the Committee's recommendation of allocating $440,000 to the University of Minnesota's College of Veterinary Medicine for research for the clean up program, and the remainder, $608,000 allocated to the Board of Animal Health for control of pseudorabies with a motion by Huisinga, and seconded by Banal, and passed with all voting aye.

Mr. Routh reported that the issue of placement of quarantined feedlots for PRV infected and exposed feeder pigs was discussed at length. He stated that the Committee decided on three separate motions, to continue the placement of these quarantined feedlots in the southern zone of the State with the only restriction being that of establishing no new quarantined feedlots within one mile of a qualified negative herd at this time and no new quarantined feedlots within two miles of a qualified negative herd after January 1, 1990, to continue to require vaccination of all feeder pigs entering a quarantined feedlot, and to continue the restriction of not establishing quarantined feedlots on premises that have breeding swine. The motion to include monitored herds with qualified negative herds in restricting quarantined feedlots failed on a 7 to 6 vote.

Mr. Routh informed the Board that the Committee had discussed a market for PRV infected and exposed feeder pigs and that no objection had been presented for either an electronic feeder pig market or a street market for PRV infected or exposed feeder pigs.

PRODUCER REQUESTS

Dr. Ronald Kuecker of the Cottonwood Veterinary Clinic at Windom, Minnesota and four swine producers from LaCrosse township of Jackson county came before the Board to protest the establishment of a quarantined feedlot for pseudorabies infected or exposed feeder pigs in the close proximity to their farms. Ed Freking, Jr., a monitored feeder pig producer, Cletus Freking, Jim Stenzel, and Dourine Iverson, all swine producers, voiced their objection to the establishment by the Board of a quarantined feedlot for Milton Wolfe of LaCrosse township, Jackson county. They presented a petition to the Board signed by 20 pork producers from LaCrosse township stating their objection to the feedlot. The group asked that the Board rescind Milton Wolfe's quarantined feedlot permit, and asked that monitored herds be afforded the same protection as qualified negative herds and that no quarantined feedlots be established within three to five miles of monitored or qualified negative herds. In addition, they asked that neighbors be notified before the establishment of a quarantined feedlot.

Mr. Doug Bullerman of Nobles county came before the Board to ask that the Board reduce its restrictions on quarantined feedlots. He stated that more producers would establish a quarantined feedlot if the vaccination requirement were dropped and the community notification was not required. He stated that he raises 7,000 hogs per year and has an agreement with eight producers to have their premises become quarantined feedlots so that they can accept his feeder pigs.

Mr. and Mrs. Dennis Magnussen of Austin, Minnesota came before the Board to ask the Board to consider a rule change regarding the age of testing swine in the offspring segregation program. They suggested that two negative tests still be required but that they only be "at least 30 days apart" rather than "at least 30 days apart with the second test being no sooner than five months of age." They requested this change so that they would be able to test the feeder pigs in their herd at six to seven weeks and then at 10 to 12 weeks

and finding them negative offer them for sale as clean pigs. Their herd is a 1,000 sow herd and it is under quarantine for pseudorabies. They argued that if they were able to get their barrows tested through this program and found to be negative they could be sold then as clean pigs. They reasoned that this would lesson the need for having so many quarantined feedlots.

The Board took no action on these requests at this time. The Secretary stated that the staff would consider these requests when preparing rule changes.

CHANGE OF OWNERSHIP OF A PSEUDORABIES QUARANTINED SWINE HERD

Dr. Landman reported to the Board a sale of a pseudorabies quarantined swine herd owned by Bill Marks of Amboy, Minnesota to Dr. Robert Evalsizer of Fairmont, Minnesota. Both parties have stated that they believed that change of ownership of quarantined swine was permissible if the swine were not to leave the quarantined premises. This sale is in violation of Board of Animal Health rule 1705.2430, subpart 3, b.

A motion was made by Routh and seconded by Banal and passed with all voting aye to direct the Secretary to pursue an investigation of this violation and present this case to the County Attorney for prosecution.

PROPOSED PSEUDORABIES RULE CHANGES

The Board instructed the Secretary to prepare PRV rule change proposals and present them to the next Board meeting. Mr. Routh asked that a sunset provision be included in the rule change regarding a street market for pseudorabies quarantined feeder pigs. The Sale of Livestock rule parts 1715.0200-1715.0580, will be changed at the same time as the pseudorabies rule. The disposition of light weight butcher hogs will also be addressed in that proposal.

COMMUNITY NOTIFICATION OF PSEUDORABIES QUARANTINED HERDS OF SWINE

Dr. Landman presented to the Board a revised version of the community notification letter for pseudorabies quarantined herds as requested by the Board at their April 21, 1989 meeting. This letter met the Board's request and will be used from now on.

1989 UNITED STATES ANIMAL HEALTH ASSOCIATION MEETING

A motion was made by Delaney and seconded by Banal to authorize Dr. Sharon Hurley and Mr. Allan Routh to attend the 1989 USAHA meeting in Las Vegas, Nevada on October 29, 1989 to November 1, 1989. All voted aye and the motion passed.

NEXT BOARD MEETING

Dr. Banal requested that the Board consider holding its next quarterly meeting in the southeastern section of Minnesota. He suggested the Zumbrota area. The Board decided to meet on Friday, October 13, 1989 at a location in the southeastern quarter of the State. The Secretary was instructed to select several sites and present them to the President for consideration.

A motion was made by Banal and seconded by Routh and passed to adjourn at 12:45 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY BOARD MEETING OF ANIMAL HEALTH HELD ON FRIDAY, OCTOBER 6, 1989

The Board of Animal Health held its fourth quarterly meeting of 1989 at 9:30 a.m., Friday, October 6, 1989 at the Branding Iron Restaurant at Preston, Minnesota. The Board members present were Dr. Sharon Hurley, Mr. Jack G. Delaney, Mr. Theodore Huisinga, Dr. Henry Banal, and Mr. Allan Routh. Also present was the Executive Secretary, Dr. T. J. Hagerty, the Assistant Secretary, Dr. Walter J. Mackey, Dr. John Landman, Pseudorabies Coordinator, and Dr. William Hartmann, Veterinarian in Charge of Brucellosis, Tuberculosis, and Paratuberculosis.

NOTICE OF QUARTERLY MEETING

President Hurley noted for the record that the notice of the quarterly meeting was published in the September 5, 1989 State Register.

APPROVAL OF MINUTES

President Hurley asked for additions or corrections to the July 13, 1989 meeting. There being none, the Minutes were declared approved as read.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

President Hurley asked if there were any additions to the Agenda. Dr. Hagerty requested that a discussion on the Norden PRV differential Diagnostic that has just recently received USDA licensing be included. This was approved.

AUTHORIZATION TO REPEAL AND DEVELOP A NEW POULTRY DISEASE RULE

Dr. Hagerty asked the Board to authorize the staff to amend the poultry rules creating one new rule as discussed at the July 13, 1989 Board meeting. Following a discussion on the matter, a motion was made by Huisinga and seconded by Banal and approved with all voting aye to move the following resolution:

"RESOLVED, that Dr. T. J. Hagerty, the Executive Secretary of the Board of Animal Health, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to amend the following rules without a Public Hearing to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto. The rules involved are governing:

1. Control and Eradication of Pullorum-Typhoid Disease in Poultry and Other Domesticated Fowl

   Parts 1710.0010 - 1710.0340

2. Control of Mycoplasma in Poultry

   Parts 1710.0550 - 1710.0880

3. Control of Salmonella Typhi-Murium Disease in Turkeys

   Parts 1710.0890 - 1710.1200

4. Dealing in Poultry by Dealers

   Parts 1710.1210 - 1710.1290

These parts are to all be repealed and a new rule, beginning with Part 1710.1300 - will be written to combine all four of them into one. The new rule will incorporate some changes."

DISCUSSION OF POULTRY DISEASES

Mr. Huisinga reported to the Board on the status of Avian Influenza in Minnesota at this time. He reported that there have been three AI subtypes identified affecting six flocks on four premises. At this time one year ago there were 55 flocks affected.

Mr. Huisinga also reported that ornithosis, or chlamydia, was suspected at the Marshall Turkey Processing Plant after a number of people had been reported sick. It has been determined that this is not chlamydosis.

Mr. Huisinga informed the Board that Salmonella enteritidis has been identified in a restaurant in Winona but that the source of infection was one of the workers and was not from eggs or meat.

Mr. Huisinga stated that Mycoplasma gallisepticum had been reported in fancy turkeys in Kandiyohi county and was identified from blood tests done prior to a sale. These birds have been quarantined and the owner is planning to destroy all of them.

PROPOSED CHANGES TO SALE OF LIVESTOCK RULE PARTS 1715.0200 - 1715.0580

The first item for discussion regarded lightweight butcher hogs. The Pseudorabies Advisory Committee's Subcommittee on rule changes had requested that lightweight butchers go to feedlots that would be identified as quarantined feedlots. The term "quarantined feedlots" in the case of pseudorabies exposed feeder pigs would be changed to "approved premises". The Subcommittee did not want to use the term "quarantined feedlots" for both types of swine. The problem with lightweight butcher hogs is that packers will not accept them for slaughter and as a result they must go back to the country for further finishing to bring them up to the desired weight. At this time they can leave a market to go back for feeding in the southern zone. After January 1, 1990 all hogs must be from monitored herds unless they are going directly to slaughter. Therefore, lightweight butchers that would not be from a monitored herd would have to be tested before leaving the buying station or auction market to go out for further feeding.

The second item dealt with the Pseudorabies Advisory Subcommittee's request that a market be established for the sale of quarantined feeder pigs. A discussion followed on the advisibility of this suggestion. At the present time quarantined feeder pigs must go directly to quarantined feedlots. A member of the audience suggested that if there was to be a quarantined feeder pig market that the State should allow only one such market and that a Board employee be present during the sale. It was suggested that not only should such a market be closely supervised but that a "sunset" provision should be established. Following a discussion of the subject, Routh moved and Banal seconded the following resolution:

"Resolved, that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt a rule without a public hearing governing the Sale of Livestock to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto."

PROPOSED CHANGES TO IMPORTATION OF SWINE RULE - PARTS 1700.2590 - 1700.3010

Dr. Hagerty discussed a change to the importation rule. This change would state that breeding swine imported into Minnesota must be isolated from all other swine until tested negative to pseudorabies not less than 30 days or more than 60 days following importation.

The question was raised, would this be the case for sows as well as boars. A producer may buy only one or several boars but may buy a greater number of gilts. After discussing this subject the Board moved on a motion by Huisinga and seconded by Banal with all voting aye the following resolution which includes all swine:

"Resolved, that Dr. T. J. Hagerty, Executive Secretary of the Board of Animal Health, hereby is granted the authority and directed to call a hearing for the purpose of promulgating the rules of the Board governing the Importation of Swine (1700.2590 to 1700.3010 as well as perform any and all acts incidental thereto, including any but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

PROPOSED CHANGES TO PSEUDORABIES RULE PARTS 1705.2400 - 1705.2530

The Board discussed the following proposed changes:

The term "pseudorabies quarantined feedlot" be changed to "approved premises.

An approved premise may not be established within a two mile radius of any existing qualified or controlled vaccinated herd.

Quaratined herd release would be approved according to USDA Program Standards. This would require two random samples of the breeding herd and two random samples of finishing pigs over four months of age at least ninety days apart followed by one random sample of the breeding herd and the finishing herd one year later.

A quarantined swine herd may be sold if the buyer agrees to maintain the herd on the quarantined premises. Vaccinated breeding hogs may be sold without a negative test if the buyer agrees to maintain them on the same premises, accept a pseudorabies quarantine, and sign an approved herd cleanup plan.

All swine herds in the State must be monitored by July 1, 1991. Qualified negative herds would have the option to test 10 per cent monthly but must test some pigs out of the sale pens monthly or quarterly. It is strongly recommended that breeding swine moved intrastate be isolated for 14 days and pass a negative test prior to their introduction into the herd.

Breeding swine sale centers will be tested according to the Program Standards.

All feeder pigs moved from the premises of origin must originate from a monitored herd.

A motion was made by Huisinga and seconded by Routh to approve quarantine release based upon USDA's Program Standards.

A motion was made by Routh and seconded by Delaney and approved with all voting aye to change the term "quarantined feedlot" to "approved premises".

A motion was made by Routh and seconded by Delaney and passed with all voting aye that all swine herds must be monitored by July 1, 1991.

A motion was made by Banal and seconded by Routh and passed with all voting aye to remove from the existing rule, 1705.2472 "Control and Eradication of Pseudorabies," Subpart 2, "Phased in control of intrastate movement of feeder pigs," that after "feeder swine," the phrase "bought, sold, leased, loaned or traded including those moved for contract feeding" be deleted and that the word "moved" be inserted. A. under Subpart 2 should read, feeder swine moving from the premises of origin must originate ----. This replaces "in the covered areas."

A motion was made by Delaney and seconded by Huisinga and passed with all voting aye to approve the definition of contract feeding as follows: "The substance, rather than the form, of the transaction will be examined. In general, when feeder pigs are moved to a premises for feeding (finishing) and the individual(s) providing the facilities on the feeding (finishing) premise, or a party not normally employed by the owner of pigs, receives renumeration for any care (husbandry) of the pigs the transaction will be considered contract feeding."

A motion was made by Delaney and seconded by Huisinga and passed with all voting aye to move the following resolution on the pseudorabies rule changes:

> "Resolved, that Dr. Thomas Hagerty, executive secretary of the Board of Animal Health, be and he hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board governing Pseudorabies Control, Parts 1705.2400 to 1705.2530 as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all Hearings."

Dr. Landman reported that a private practitioner had requested that the Board consider including in the rule changes an option for the purchase of feeder pigs from a market and after feeding them for a time be allowed to resell them through a market. Under the present rule this is not allowed. The Board discussed this request and pointed out that the purpose of allowing feeder pigs to go through only one concentration point is to prevent the spread of pseudorabies. The request was denied.

NORDEN'S "CLINEASE" PRV DIFFERENTIAL DIAGNOSTIC

Dr. Hagerty reported to the Board that the Norden Company of Lincoln, Nebraska had called to inform him that their differential test for pseudorabies vaccinated swine has recently received its license from USDA. When the Norden Company receives its' formal notice of the USDA license it will forward it to the Board. A motion was made by Routh and seconded by Delaney and approved with all voting aye to approve the use of the Norden

Diagnostic test for the monitored herd feeder pig program only upon receipt of the USDA license.

AUDIENCE PARTICIPATION

Mr. Myron Dammann, swine producer from Mower county, asked for time to address the Board. He related to the Board his experiences with pseudorabies infected swine, the Board of Animal Health's rules, and the difficulties the rules pose for the quarantined swine owner. Mr. Dammann felt that the Board was only identifying infected herds and not moving quickly enough to clean them up nor to protect other clean herds. He felt that vaccination was an important option for the producer and stated that the purebred swine producer was at a serious disadvantage in not being allowed the option of vaccination.

DISCUSSION OF JOHNE'S DISEASE

Dr. Hartmann, Veterinarian in Charge of Brucellosis, Tuberculosis, and Paratuberculosis, related to the Board the present status of Johne's disease control in Minnesota. He discussed the classification system that is being used and indicated that there are presently 220 cattle herds in Minnesota with one or more infected animal. There were no members of the audience present to discuss the Johne's program.

DATE AND LOCATION OF NEXT MEETING

The next Board meeting will be held on Friday, December 15, 1989 at the Board of Animal Health offices at 90 W. Plato Blvd., St. Paul, Minnesota.

A motion was made by Delaney and seconded by Huisinga and passed with all voting aye to adjourn at 3:00 p.m.

Respectfully submitted,

Secretary

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF ANIMAL HEALTH HELD ON FRIDAY, DECEMBER 15, 1989

The Board of Animal Health held its fourth quarterly meeting of 1989 at 9:30 a.m., Friday, December 15, 1989 at the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. The Board members present were Dr. Sharon Hurley, Mr. Jack G. Delaney, Dr. Henry Banal, Mr. Allan Routh, and Mr.. Theodore Huisinga. Also present was the Executive Secretary, Dr. T. J. Hagerty, the Assistant Secretary, Dr. Walter J. Mackey, Dr. John Landman, Pseudorabies Coordinator, Dr. Robert Pyle, Veterinarian in Charge of Imports and Markets, and Dr. Keith Friendshuh, Veterinarian in Charge of Poultry and Miscellaneous Diseases.

NOTICE OF QUARTERLY MEETING

President Hurley noted that the Notice of Quarterly meeting was published in the November 13, 1989 State Register.

APPROVAL OF MINUTES

President Hurley asked for additions or corrections to the Minutes of the October 6th, 1989 meeting. There being none, Dr. Hurley declared the Minutes approved as presented.

APPROVAL OF AGENDA/BOARD MEMBERS INPUT

President Hurley asked if there were any additions to the Agenda. Dr. Hagerty requested that a discussion of the Upjohn Pseudorabies Diagnostic be added to the Agenda and that a discussion on the release of pseudorabies quarantines using differentiable pseudorabies diagnostics also be added to the Agenda.

PROGRESS OF POULTRY DISEASE RULE REVISION

Dr. Friendshuh reported to the Board on the progress of the poultry rule revisions as requested by the Board at the October 6th, 1989 meeting. This rule change will take place without a public hearing. It will be published in the State Register for a 30 day comment period.

REPORT ON THE STATUS OF AVIAN DISEASES

Dr. Friendshuh reported that 15 flocks on nine (9) premises have been identified as infected with Avian Influenza. Four strains were reported. None of the strains were highly pathoganic. There was very little spread between premises.

Dr. Friendshuh reported that no Chlamydia, ie, Psittacosis, has been reported this year.

Dr. Friendshuh stated that no chicken layer or breeder flocks are known to be infected with salmonella enteritidis at this time.

INFECTIOUS WASTE DISPOSAL PLAN

Dr. Friendshuh stated that by Statute the Board must develop a plan for disposal of infectious waste from the Brucellosis Laboratory, from the Poultry Disease Laboratory at Willmar and from field veterinarians. Dr. Friendshuh is in the process of developing this plan.

SALE OF LIVESTOCK RULE - PARTS 1715.0200 - 1715.0580

Dr. Pyle reported that this proposed rule change had been published in the State Register for comment for 30 days and that no comments had been received. This rule change will proceed without a public hearing. This rule change has two parts. Lightweight butcher hogs may go to approved premises from markets or buying stations. This rule also allows the establishment of street markets for quarantined feeder pigs. A motion was made by Banal and seconded by Routh and passed with all voting aye to move the following resolution:

> "RESOLVED, that the Board of Animal Health rules relating to Parts 1715.0200 thru 1715.0580 the Sale of Livestock at Auction Markets, Consignment, Community and Other Sales is approved and adopted, pursuant to authority vested in the Board of Animal Health by Minnesota Statues §35.03. Dr. T. J. Hagerty, Executive Secretary, Board of Animal Health, is authorized to sign the findings of fact, conclusions and order adopting the rule and to perform necessary acts to provide that the rule shall have the force and effect of law."

IMPORTATION OF SWINE PARTS 1700.2590 - 1700.3010

Dr. Pyle discussed the proposed changes in the Importation of Swine rule. The Board directed the Secretary to change the proposal in the rule in 1700.2900, part c, to "breeding swine imported must be isolated from all other swine until tested negative to pseudorabies not less than 30 days or more than 60 days following importation and that testing will be done according to the schedule as defined in Part 1700.2590, subpart 4 PRV - Monitored Herd.

PSEUDORABIES RULE PARTS 1705.2400 - 1705.2530

Dr. Mackey reviewed the status of the pseudorabies program to date. He stated

that 197 herds have been identified as infected and placed under quarantine in 1989. He pointed out that 93 herds have been released from quarantine since June 1, 1989 of which 27 were tested out of quarantine. The remainder were depopulated.

Dr. Mackey reported that 6,098 swine herds have been monitored since January 1, 1988. One hundred and forty-four (144) of those herds were found to be infected and quarantined.

Dr. Mackey reviewed the proposed rule changes that had been presented at the October 6th, 1989 Board of Animal Health meeting. He indicated that Part 1705.2400, subpart 5, a, "low prevalence pseudorabies area" would be deleted from the rule since this definition is now included in subpart 15. In Part 1705.2430, subpart 2, c, "a quarantined swine herd may be sold to another owner if the buyer agrees to maintain them on the same premises that the herd was quarantined on with the permission of the Board and signs a herd clean up plan. The underlined phrase is new language. Dr. Landman pointed out that in part 1705.2440, subpart 1, b, that language for the removal of quarantines from herds with only feeders and no breeding stock was unintentionally left out and will be in the final version of the rule. That language will be as follows: "All swine present on the premises on the date the quarantine was imposed have been removed and there have been no clinical signs in the herd in the past 6 months. When two successive random sample tests of the new herd, conducted at least 90 days apart have been completed the quarantine will be released."

In part 1705.2472, subpart 2, the underlined phrase has been added to "After July 1, 1988 in the northern zone and after January 1, 1990, statewide, feeder swine moved from the premises of origin must comply ----."

In part 1705.2476, subpart 7, mandatory herd monitoring, the Board instructed the Secretary to state that all swine herds in the northern zone must have attained monitored status by July 1, 1991 and all quarantined herds must have an approved herd clean up plan in place by July 1, 1991 and that by July 1, 1992, all swine herds in the southern zone must have attained monitored herd status and all quarantined herd owners must have signed an approved herd

clean up plan. If the owner refuses to have the herd tested the herd must be considered to be infected and must be quarantined. A motion was made by Huisinga and seconded by Banal to approve this language. Banal, Huisinga, Hurley, and Routh voted in favor. Delaney voted nay. The motion was passed. In part 1705.2480, subpart 1, b, all breeding stock six months of age or older must have passed an initial negative pseudorabies test plus a negative random test of the offspring over four months of age. "Over four months of age" was added to the proposed change. A motion was made by Routh and seconded by Banal and passed with all voting aye to approve this final proposal of changes to the pseudorabies rule. All voted aye and the motion passed.

LICENSED DIAGNOSTICS

Dr. Hagerty reported that the Board had just received a copy of the USDA license for the Tolvid Diagnostic for the Tolvid pseudorabies vaccine of the Upjohn Company. Dr. Hagerty requested that the Board approve this differentiable pseudorabies diagnostic for the Monitored Herd Program. Routh moved and Huisinga seconded a motion to grant approval to all USDA licensed differentiable pseudorabies diagnostics for the monitored feeder pig program. All voted aye and the motion carried.

RELEASE OF QUARANTINE OF PRV VACCINATED SWINE HERDS

Dr. Hagerty suggested to the Board that they consider approving the use of the differentiable PRV diagnostics for quarantine release in PRV vaccinated swine herds. He cautioned the Board that while these diagnostics have been licensed they have not attained "official" status by USDA. Following a discussion of the matter, Routh moved and Banal seconded a motion to approve the use of any licensed PRV differentiable diagnostic for the removal of PRV quarantines in swine herds. All voted aye and the motion passed.

BACKGROUNDING OF FEEDER PIGS

Dr. Landman reported that John Little of Waterville, Minnesota again requested that the Board consider a rule change allowing feeder pigs to go from the farm of origin to his farm as monitored pigs for feeding. He would then feed them for approximately one month and sell them through marketing channels. He

requested that the Board adopt a testing schedule that would allow these feeder pigs to move. The Board discussed this issue, as they had at their October 6, 1989 meeting. The Board was not in favor of this proposal and took no further action on it.

TESTING SWINE FOR PSEUDORABIES

The Secretary had been approached by a veterinarian and also by a pork producer about the possibility of allowing veterinary technicians to bleed swine for pseudorabies testing. The Secretary had sent a letter to the Minnesota Veterinary Medical Association requesting a response to this proposal. The individuals proposing this felt that with the number of swine to be bled and with the availability of technicians that it would be advisable to utilize technicians in the testing. The Secretary pointed out that he had received a letter from Dr. Mike Westfall of the MVMA Drug and Supply Committee on the issue. Dr. Westfall indicated that their Subcommittee had discussed the matter and were opposed to the idea. Dr. Ralph Molnau, President of the Minnesota Veterinary Medical Association, was in attendance at the Board meeting. He stated that the MVMA Board of directors had their quarterly meeting on Thursday, December 14, 1989 and discussed this issue. The Board was opposed to the idea of technicians drawing blood for official work. Following a discussion of this issue, the Board decided to take no further action to approve this request.

RESOLUTION ON THE REQUEST FOR FUNDING FOR AN $8,000,000 ADDITION TO THE VETERINARY DIAGNOSTIC LABORATORY AT THE COLLEGE OF VETERINARY MEDICINE, UNIVERSITY OF MINNESOTA

Dr. Molnau, Dr. Peter Poss, President Elect of the MVMA, Dr. Martin Bergeland, Director of the Veterinary Diagnostic Laboratory, and Dr. Glen Nelson from the College of Veterinary Medicine discussed with the Board the necessity of improvements to the Veterinary Diagnostic Laboratory. They pointed out that the Laboratory, built in 1960 to handle 4,000 cases per year, now is receiving over 40,000 accessions annually. Not only is the Laboratory extremely crowded, but it does not have proper facilities for handling infectious agents such as rabies nor adequately controlling odors or toxic fumes. Following a discussion of the issue, a motion was made by Banal and seconded by Routh to adopt the

following resolution:

WHEREAS, the services of the Veterinary Diagnostic Laboratory of the University of Minnesota is essential for the maintenance, growth, and development of the livestock and poultry industries of the State of Minnesota,

WHEREAS, the laboratory is the official laboratory of the Minnesota Board of Animal Health and is the only full service animal health laboratory in the state,

WHEREAS, there is an urgent need for additional space to provide the diagnostic tests required to provide this service to the State of Minnesota,

WHEREAS, the laboratory services are necessary to assist the veterinary profession in protecting the health of food producing animals, horses, companion animals, fur bearing animals, and wildlife, and helping to protect human health,

THEREFORE, be it resolved that the Minnesota Board of Animal Health actively support the request of the Board of Regents of the University of Minnesota to the 1990 Legislature for these construction funds,

All voted aye and the motion was passed.

NEXT MEETING

The next meeting will be held at 9:30 a.m. on Friday, February 23rd, 1990 at the Board offices at 90 W. Plato Blvd., St. Paul, Minnesota. A motion was made by Banal and seconded by Hurley to adjourn at 1:00 p.m. All voted aye and the motion passed.

Respectfully submitted,

Secretary