

Domestic Cervidae Rulemaking Meeting May 19th, 2021

IDAPA 02.04.21 Discussion

Attendees:

Scott Leibsle, DVM, ISDA
Lloyd Knight, ISDA
Chase Jones
Tricia Hebdon, IDFG
Mike Miller

Brad Smith, ICL
Deb Lawrence, DVM, ISDA
Dallas Burkhalter, ISDA
Katy DeVries, ISDA
Miranda Juker, ISDA
Travis Lowe, NAEBA
Garret Visser
David Miller

Ed Benhardt
Rulon Jones
Jeff Siddoway
Kami Marriott
Scott Barnes, DVM, ISDA
Jennifer
Brian Brooks, IWF

The discussion followed the conclusion of the rulemaking meeting for the Rules Governing Domestic Cervidae and moved to IDAPA 02.04.21 “Rules Governing the Importation of Animals” section 600 through 607. Dr. Leibsle said he had summarized comments which had been submitted by ICL and IWF and worked to include them at the appropriate place in the rule. At 600.3 the deworming requirement had been discussed previously. With *p. tenuis* still being prevalent around the 100th meridian, the current requirement is for all imported cervids to be dewormed within 30 days before entry. There were previously comments regarding concerns about drug residue being in the animals longer than 30 days. Recommendations from the previous meeting ranged from 60 days to 6 months, with an additional suggestion to only require for animals east of the 100th meridian. There were no additional comments brought up at this meeting. Dr. Leibsle said that ISDA had been hearing the same concerns for years. The intent of the deworming requirement is to prevent meningeal worm, and any of the previous suggestions are viewed as reasonable from the perspective of ISDA.

Jeff Siddoway was concerned about the need for a Certificate of Veterinary Inspection (CVI) to make sure deworming requirement was needed. He said when he treats his own animals, he’s not required to have a veterinarian there to watch everything he does. He had no issue with the deworming requirement itself, just didn’t feel it was practical to require a veterinarian to be there. Dr. Leibsle said the veterinarian doesn’t need to witness the treatment, just state on the CVI that it had been completed. David Miller said a combination of the 6-month treatment timeframe and only requiring for animals east of the 100th meridian was acceptable to the Cervidae industry. Dr. Leibsle said they get comments about drug residue all the time and that requirement would meet the animal health needs present.

Section 601.2 regarding Red Deer Genetic Factor (RDFG) was discussed next. Dr. Leibsle said that ISDA wants requirements that are fair and equitable which is not possible with the lack of a reliable, validated test. He encouraged that a proposal and testing protocols be sent in regarding this matter. There were no comments.

Section 606 – This is the area to add language from the August 2020 administrative order with additional requirements. In addition to being required to participate in the HCP, they are restricting movement from a CWD-endemic area (as set by other state/province) or within 25 miles. When implementing the order, they tried to find a midline with the requirements set by other states – not the most or least restrictive out there – but there needs to be some standard set. The previous comments regarding this issue had some recommending lowering the radius to 20 miles and others feeling it was better to keep 25 miles.

Domestic Cervidae Rulemaking Meeting May 19th, 2021

IDAPA 02.04.21 Discussion

Rulon Jones said that the federal standards had been referenced a couple times, but the federal standard doesn't include an endemic area requirement. He asked why the state standard was being set over and beyond the federal requirements. Dr. Leibsle gave a couple reasons why state requirements would be more stringent than federal requirements – if industry stakeholders want something more restrictive, or if the governing agency determines there is a risk and they need to protect the industry. He said the primary concern is Alberta because they changed how they are surveilling for CWD in the wild population. While acknowledging there are varying opinions on the issue, the goal is to protect the industry.

Mr. Jones said the requirements were more than needed and the federal standards were enough. He said that CWD will always be a challenge, but it's not fair to be restricted in doing business because of something they can't control. He said Cervidae producers manage behind their fences to maintain a CWD-free herd and it was beyond reason to go beyond that. Dr. Leibsle agreed it was beyond the control of producers and explained the requirement was therefore present to protect producers. CWD in wild elk cannot be controlled by the producers, but there is a clear risk. He added that he understood the position and the order wasn't saying that producers aren't doing a good job.

Garret Visser supported keeping the 25-mile radius from the administrative order. He asked if the department could elaborate on the scientific literature available. Dr. Leibsle said that CWD is spreading aggressively in Alberta and Canada changed their management strategy between 2019 and 2020. He said there was a study by Scott Wells from the University of Minnesota about 3 years ago which identified all the risk factors for spread of CWD to domestic herds. One big factor was proximity to CWD in wild elk populations. That study said that less than a 50-mile radius presented a risk.

Dr. Leibsle brought up information on proximity requirements for all the different states. He said the radius varies, some states have banned animals from CWD areas altogether, and some have more restrictive fencing requirements. ISDA wants to protect without being overly restrictive. Kami Marriott agreed with Rulon Jones and wanted to have discussion about how ranches could mitigate their CWD risk with Best Management Practices and a history of testing to show they were going above and beyond to keep their herds free from CWD. Dr. Leibsle asked if that meant a producer wanting to import from an area in Alberta within a 25-mile radius could do things to show they are mitigating the CWD risks. Ms. Marriott said yes. Dr. Leibsle said a risk analysis was being done to an extent as it was already required to have a 5-year herd history for anyone importing into Idaho. He suggested that if producers wanted additional considerations to allow exceptions to the 25-mile rule, they would need to provide a plan. He cited the example of the North Dakota Livestock Board which has an appeals process in place for imports that are initially denied. He said he would need to know what the additional considerations for a risk analysis would be and how a decision should be justified, since it puts the agency in place to deny some movements and permit others with the same origin.

Travis Lowe shared NAEBA's point of view. He said that different states define an endemic area/radius in different ways which greatly impacts commerce. He pointed out that the industry involves risk and producers are already doing research before deciding who to purchase animals from. He feels there is a lack of consistency when states make their own rules, although the HCP sets some standards. He mentioned a study done in Minnesota on white tailed deer, which have different susceptibility to CWD. He said there have been CWD-infected elk herds elsewhere in the country, which led to USDA

Domestic Cervidae Rulemaking Meeting May 19th, 2021

IDAPA 02.04.21 Discussion

depopulating thousands of animals to only found four positives. This is indicative of a low level of spread even within infected herds. He said it was making a big assumption to say wild elk 24.5 miles away provide a risk to domestic farms. He mentioned doing risk assessments would be important in the future, because all facilities vary greatly in their individual circumstances.

Dr. Leibsle asked Mr. Lowe if he had any suggested components for a risk analysis. Mr. Lowe said that he was willing to take responsibility to gather information. He mentioned that there has to be great accuracy in locations where CWD is discovered when they are dealing with a certain radius. He said they have photos from both Canada and the USA showing samples not being handled properly. He said he would like to discuss with their members before suggesting any ideas. Dr. Leibsle said the department was open to new ideas for how to minimize the risk of CWD without adversely affecting commerce and the industry. He said with the 25-mile radius being enforced it was previously discussed if the agency should validate actual locations. He said that any comments or proposals must be received by June 20th, 2021, and they would like to have a semi-final rule presented at the June meeting.

Rulon Jones said he appreciated Kami Marriott's earlier comment. He said there are some breeders who count their animals every day, which avoids the issue of sample deterioration, and they are doing everything they can to ensure their herd is clean and safe. The presence of wild CWD cases affects their livelihood. He said there should be something they can come up with to prevent ruining lives because of something beyond their control. Dr. Leibsle encouraged producers to do outreach to states with appeals processes such as North Dakota, Colorado and Texas; see what they do when reviewing and granting exemptions. He encouraged the industry to come up with a data-driven proposal and said the agency was willing to listen to suggestions.

Jeff Siddoway said that producers know the business is risky and they have a lot invested. They don't want to bring in a disease that would end their operation. He said that he didn't like the way the rule was implemented in 2020 because producers had already made down payments and it caused them to lose opportunities and thousands of dollars in net profit. He said the industry needs to look for some kind of live animal test – sheep have an accepted live animal test for scrapie. He didn't know the process for test approval, but he said if the producers were willing to take a risk and live with the test results and import from an endemic area the state should allow it. He asked how long it would take for a test to be accepted in Idaho, if producers and NAEBA paid to find one. Dr. Leibsle explained that the absence of a live animal test wasn't due to lack of desire; everyone would jump at the opportunity to have a validated live test. He said such as test was likely to happen in deer first because the movement of CWD through their system is more predictable. He said a blood or saliva test would be great but, once any validated test was available, they would like the opportunity to accept it. He then asked if there were further comments and there were none.