



**Legislative Report**  
October 20, 2008  
**Bovine Tuberculosis Program Update**

Provided by the Animal Industry Division  
Michigan Department of Agriculture

**Proposed Federal Rule Changes Regarding Future Indemnity Payments**

On September 22, 2008, MDA submitted comments on proposed rule changes that allow USDA to limit, and in some cases deny, future indemnity payments if livestock producers fail to implement wildlife risk reduction measures. If the proposed changes in Federal rules are finalized, Michigan law would need to be changed to avoid state taxpayers becoming liable for indemnity payments in these situations.

The proposed changes highlight the importance of the Wildlife Risk\*A\*Syst (WRAS) Project and other efforts to identify practical on-farm strategies that reduce the risk of bovine TB spreading between wildlife and livestock.

MDA commented on the need for increased incentives for livestock producers to implement on-farm wildlife risk reduction practices in areas where bovine TB is endemic in wildlife. The MDA comments made the following points:

1. While the general strategy outlined in the Federal Register is a reasonable one, MDA suggested alternative language that would allow for increased flexibility.
2. The significant gaps that currently exist in the science of wildlife risk mitigation must be acknowledged.
3. USDA APHIS VS must identify the process that will be used to assure required risk mitigation and those measures are:
  - a. Technically feasible under on-farm conditions,
  - b. Able to be objectively assessed in order to fairly determine compliance or non-compliance
  - c. Sufficiently flexible to be consistent with the risk of exposure to bovine TB infected wildlife in the local area

MDA recommended, prior to finalization of the rule, that USDA VS identify current best practices in the area of wildlife risk mitigation and provide guidelines for their use in regulatory herd plans to ensure consistent implementation of the proposed changes. MDA requested these best practices and guidelines be based on sound science, and be developed in partnership with states, researchers, and other interested stakeholders.

## **Michigan and Wisconsin Agriculture Agencies Meet to Discuss Market Access**

MDA officials met with leaders from the Wisconsin Department of Agriculture, Trade, and Consumer Protection (WDATCP) during a meeting in Madison, Wisconsin on October 1, 2008.

Staff presented a summary of enhancements to Michigan's Bovine TB Eradication Program put in place since Wisconsin officials visited Michigan in 2004. Some highlights include:

### Milestones related to the Mackinac Bridge Agricultural Inspection Station

- 2004 - Upper Peninsula advanced to Free Zone status.
- January 2005 - Initial operations began with 29 hours per week of inspection activity. Estimated cost per year: **\$191,100**
- June 2005 - Increased inspection activity to 94 hours per week. Estimated cost per year: **\$216,000**
- April 2006 - Increased inspection activity to 24/7.
- March 2007 – Zoning order changed; mandatory livestock stops at agricultural inspection station.
- December 2007 - Added 8 hrs/week of law enforcement through a contract with the Michigan State Police Traffic Safety Division to the ongoing 24/7 MDA inspection activity. Estimated cost per year: **\$271,250**
- November 2007 - Increased law enforcement to 40 hrs/week through a contract with Mackinac County Sheriff with ongoing 24/7 MDA inspection activity - including adding a sixth MDA inspector. Estimated cost per year: **\$369,470**

Michigan and Wisconsin officials discussed Wisconsin's current testing requirements for cattle from Michigan's Upper Peninsula (a USDA recognized Bovine TB Free Zone). Current Wisconsin law mandates that that only the lowest zone status in a state be recognized. Cattle from the Upper Peninsula must meet the same testing requirements as those from the Modified Accredited Zone.

Wisconsin officials indicated they were not in a position to make changes in state law, but are willing to explicitly identify what actions Michigan must implement before Wisconsin would change the requirements. These actions may include 1) maintaining an effective enforcement check point at the Mackinac Bridge; and 2) increased surveillance testing in the U.P. This proposed action plan will be shared with Michigan stakeholders to determine the feasibility of implementing these changes.

### **TB Program Review Postponed due to Hurricane Ike**

The U.S. department of Agriculture (USDA) Veterinary Services (USDA VS) bovine TB program review scheduled for the week of September 22 was cancelled due to review team members being tied up with response efforts to Hurricane Ike. The review date has not yet been rescheduled, but is unlikely to occur before early December.

### **Contingency Planning to Prepare For Worsening Budgetary Conditions**

Animal health program managers at both the Federal and Michigan levels are actively developing contingency plans in preparation for likely shortfalls in government funding.

USDA VS is beginning a process to re-evaluate the national bovine TB program in light of significantly increased funding demands caused by the presence of bovine TB in Michigan, Minnesota, California, and New Mexico.

Animal Industry Division (AID) employees are conducting a field workload assessment to establish program priorities. Staffing needs in each of Michigan's three bovine TB zones was obtained from both USDA and MDA. Results indicate the bovine TB program needs at least a 15% increase in field staff to fully comply with requirements in the current Memorandum of Understanding (MOU) with USDA. The MOU will be renegotiated in the next few months.

### **Deer Management Symposium**

Bovine TB program staff participated in a deer management meeting on September 29<sup>th</sup> that drew scientists, conservationists, sportsmen, and livestock producers to discuss "*The Science of Deer Management.*" The meeting was co-produced by Michigan United Conservation Clubs (MUCC) and the Michigan Department of Natural Resources' (DNR) Wildlife Division as part of the strategic planning process for the management of deer. Bovine TB project partners have been asked to serve on a statewide Citizen Deer Advisory Team that MUCC and DNR are forming. A wide range of speakers repeated the theme that multiple stakeholders are impacted by Michigan's deer herd. While pointing out the many positive recreational and economical impacts, the increasing problems associated with deer overpopulation were acknowledged. Presentations highlighted problems with 1) disease transmission to livestock; 2) decreased deer herd health; 3) lack of forest regeneration due to over-browsing; and 4) increased deer-car accidents on Michigan roadways.

### **Cost of Surveillance Testing on POC Facilities**

Before quarantines of Privately Owned Cervid facilities are released, the herds must be compliant with required surveillance testing to verify that they are reasonably likely to be free of both Chronic Wasting Disease and bovine TB. If they are not compliant with either disease testing requirement, they will have to enter into a compliance agreement to assure testing will be completed. This increased testing is reducing the likelihood of further spread of undetected infections, but has dramatically increased program surveillance costs. In September, 600 samples were tested for both CWD and bovine TB at approximately \$100 per test. This \$60,000 expense in one month was not anticipated when Fiscal Year 2009 appropriations were made. AID is currently evaluating what programmatic activities in other areas will be curtailed in order to pay for the additional testing.

## Revised Cooperative Agreement for Emergency Funding Approved

USDA VS has approved MDA's work plan for spending approximately \$1.5 million in one-time Commodity Credit Corporation (CCC) emergency funding in fiscal year 2009.

Approximately \$200,000 will go to the DNR to partially support additional testing required by the current MOU with USDA, due to the discovery of three bovine TB infected deer outside of the MAZ – two deer in Iosco and one deer in Shiawassee counties.

Approximately \$444,000 will be used to hire private veterinarians to whole herd TB test. Use of these locally based and specially approved private veterinarians, when they are available, is instrumental to efficient and effective testing efforts that meet requirements of the MOU. The Shiawassee circle is an example of where use of these veterinarians is critical to meet time based testing requirements in light of Animal Industry's inability to attract/hire veterinary candidates for positions with the State.

### TB Surveillance Testing

#### Iosco County Potential High Risk Areas

Completed

#### Shiawassee County Potential High Risk Area

Of the 168 cattle herds identified for testing in the Shiawassee Circle, one herd remains to be tested. The other 167 have completed testing.

#### Statewide:

<b>Zone</b>	<b>Annual Surveillance Requirement</b>	<b>Completed</b>
Modified Accredited Zone	1,000 annual herd tests on individual farm anniversary dates	Three herds are currently overdue for testing.
Modified Accredited Advanced Zone and Free Zone	Minimum of 500 higher risk herds	Update – 457 herds have been tested for surveillance purposes.

\*Updated based on the most current information reported as of October 14, 2008.

### Zonal Boundary Compliance

MDA contracts with local and state law enforcement agencies to conduct enforcement activities at the Mackinac Bridge Agricultural Check Station and provide mobile patrols in areas around the boundary between the Modified Accredited Advanced Zone (MAAZ) and the MAZ. Because MDA has experienced delays in receiving final tallies from these external partners, we will not be reporting data from the immediately preceding month in this or future reports. Enforcement data from August was previously reported and data from September will be included in the next report.

There were 200 cattle movement permits issued from MAZ premises in September.

## **Market Surveillance**

There were 168 movement permits issued for cattle leaving the MAZ livestock market in August.

## **Slaughter Surveillance and Slaughter Verification**

There were 15,636 head of Michigan cattle scanned at USDA Food Safety Inspection Service slaughter plants in September.

## **Bovine TB Communications:**

### Bovine TB Communications Strategic Plan

The bovine TB interagency communications group has been working with agriculture industry communicators to strategically plan a two year education campaign that touches on risk mitigation, indemnity, risk based surveillance, and regulatory compliance. Dr. Lana Kaiser will facilitate meetings with attendees from Farm Bureau, MI Cattlemen, MI Milk Producers, MSU Extension, MDA, Michigan Department of Community Health (MDCH), and USDA.

### Wildlife Risk\*A\*Syst (WRAS) Project for Bovine TB

The first meeting of the local Technical Advisory Committee to the WRAS Project was held on September 18, 2008, in Alpena. The committee includes local representatives of livestock producers and state and federal agencies. Producers at the meeting indicated they appreciated the renewed emphasis the Project partners were placing on prevention. This initial meeting focused on reviewing the Project objectives and proposed procedures for moving forward. Staff from the Alpena County Conservation District and the USDA Wildlife Services began the process of contacting livestock producers, doing on-farm risk assessments, and identifying the wildlife risk reduction practices that would be most appropriate for each farm.

## **Bovine TB issues in the media:**

BENNINGTON TWP; State agricultural officials said they have not found bovine tuberculosis in about 100 cattle operations in Shiawassee County.

<http://www.argus-press.com/articles/2008/09/18/news/news3.txt>

State agriculture and wildlife officials say months of rigorous testing have detected no further cases of bovine tuberculosis in Shiawassee County.

[http://www.mlive.com/flintjournal/index.ssf/2008/09/state\\_finds\\_no\\_more\\_bovine\\_tb.html](http://www.mlive.com/flintjournal/index.ssf/2008/09/state_finds_no_more_bovine_tb.html)

Mich. officials stand behind deer baiting ban

<http://www.mlive.com/newsflash/index.ssf?base/news-57/1221684253159960.xml&storylist=newsmichigan>

MICHIGAN NEWS: State Lawmakers To Reverse Deer Baiting Ban

<http://deerimpacts.blogspot.com/2008/09/michigan-news-state-lawmakers-to.html>

Deer hunters must abide with ban against baiting: September 18, 2008

<http://www.hometownlife.com/apps/pbcs.dll/article?AID=/20080918/OPINION/809180447>

The Texas Animal Health Commission (TAHC) is emphasizing animal health requirements as more states find cases of bovine tuberculosis (TB). . . In Michigan, only the Upper Peninsula is cattle TB-free . . .

<http://dairywebmall.com/dbcpress/?p=755>

September 15, 2008, TB hindsight brings CWD action into focus, *BY PAUL W. JACKSON*  
<http://www.michiganfarmbureau.com/farmnews/transform.php?xml=20080915/cover.xml>

The Hartford Courant - Hartford, Connecticut  
09/27/08 -- Amish Clash With U.S. Farming Rule --  
<http://www.courant.com/news/nationworld/hc-ctamish0927.artsep27.0,7400136.story>

The Leelanau Enterprise - Leelanau, Michigan  
09/29/08 -- DNR warns against using bait piles during deer hunt --  
<http://www.leelanaunews.com/blog/2008/09/29/dnr-warns-against-using-bait-piles-during-deer-hunt/>

The Ludington Daily News - Ludington, Michigan  
09/30/08 -- DNR deer disease approach praised -- Is Michigan a national leader in any area of deer management?  
[http://www.ludingtondailynews.com/news.php?story\\_id=41717&newsgroup\\_id=](http://www.ludingtondailynews.com/news.php?story_id=41717&newsgroup_id=)