

**MICHIGAN COMMISSION OF AGRICULTURE  
Escanaba Middle Schools  
Auditorium  
1500 Ludington Street  
Escanaba, Michigan**

**MEETING MINUTES  
AUGUST 11, 2010**

**PRESENT:**

Todd Regis, Chairperson, Michigan Commission of Agriculture  
Don Coe, Vice Chairperson, Michigan Commission of Agriculture  
Velmar Green, Secretary, Michigan Commission of Agriculture  
Jennifer Fike, Michigan Commission of Agriculture  
Audrey Herioux, Michigan Commission of Agriculture  
Don Koivisto, Director, Michigan Department of Agriculture

**CALL TO ORDER AND ROLL CALL**

Chairperson Regis called the meeting of the Commission of Agriculture to order at 3:01 p.m. on August 11, 2010. Commissioner Green called the roll with Commissioners Coe, Fike, Green, Herioux, Regis, and Director Koivisto present.

**APPROVAL OF AGENDA**

**MOTION: COMMISSIONER FIKE MOVED TO APPROVE THE MEETING  
AGENDA FOR AUGUST 11, 2010. SECONDED BY COMMISSIONER COE.  
MOTION CARRIED.**

**APPROVAL OF JULY 20, 2010, MEETING MINUTES**

**MOTION: COMMISSIONER HERIOUX MOVED TO APPROVE THE JULY 20,  
2010, MEETING MINUTES. SECONDED BY COMMISSIONER FIKE. MOTION  
CARRIED.**

**NEXT SCHEDULED MEETING AND PROPOSED 2010 MEETING SCHEDULE**

Commissioner Regis proposed the September 15 meeting be held in the Ovid area to facilitate touring Green Meadow Farms and the Michigan Milk Producers new production facility in Ovid following the meeting.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE CHANGE IN  
THE PROPOSED 2010 MEETING SCHEDULE. SECONDED BY  
COMMISSIONER GREEN. MOTION CARRIED.**

Relative to the October 14 Commission tour in the Detroit area, Commissioner Coe advised he was contacted by Mr. Michael Score of Hantz Farms L.L.C., who is proposing to develop urban farming in Detroit. Mr. Score requested to present an

overview to the Commission during their October 14 visit. Commissioner Regis pointed out no official Commission business will be conducted that day. Director Koivisto advised Hantz Farms has declined the department's invitations to discuss their plans; also, Michigan State University (MSU) is fully funded to work with these types of developments. Commissioner Fike advised Hantz Farms has been consumed with development of their financial and strategic plans. Commissioner Coe advised Mr. Score mentioned they had now acquired their first piece of land and October 14 would be good timing for the Commission to visit that first land plot. Commissioner Regis requested an official request from Mr. Score be sent to the Commission through Assistant Cheri Ayers. Commissioners Coe and Fike expressed they would be in favor of working that visit into their October 14 event itinerary.

### **COMMISSIONERS' TRAVEL**

Commissioner Coe attended the July 24 "Grow Benzie" event sponsored by a new community action group in Benzie County that works with all segments of the agriculture industry in that area. On August 3, he attended a Food and Farming Network meeting in Traverse City that focused on the Michigan Good Food Charter. On August 5, he attended an MSU meeting for the Mobile Harvest Program, an onsite slaughter house that would visit farms. He also attended that day a meeting with the Travel Michigan staff of the Michigan Economic Development Corporation for initial discussions on the branding project discussed at previous Commission meetings. That evening, he attended the Michigan Grape and Wine Gold Medal Wine Reception at the Kellogg Center which recognized the top award winners in the Michigan wine industry. On August 6, he made a presentation to the Lansing Rotary Club which focused on Michigan agriculture tourism. He expressed his appreciation to department staff that provided the materials for that presentation. He also traveled this week to Escanaba for the Commission meetings and agriculture tours.

Commissioner Fike advised the only travel she had was to attend the Commission meetings and agriculture tours in Escanaba this week.

Commissioner Herioux traveled to Munising to attend a July 23 Central Upper Peninsula Planning and Development workgroup for its 40<sup>th</sup> anniversary celebration. She also visited the hoop house project in that area, which is an enterprise sponsored by several community entities and is funded by MSU Project GREEN (Generating Research & Extension to meet Economic & Environmental Needs). On July 28, she attended the grand opening of the Northwoods Meat Processing facility in Norway, Michigan, which is the third federally-inspected meat processing plant in the Upper Peninsula (UP). She also is traveling into Escanaba for the meetings and events this week.

Commissioner Green attended the Ag Expo and the MSU Livestock Sale-a-bration on July 20, which was very successful. On August 5, he attended the Michigan Grape and Wine Gold Medal Wine Reception at which Commissioner's Coe Black Star Farms received three of the eight Best of Class awards. He also traveled for this week's Commission meetings and tours. Although the county fairs have lost their State funding, they are able to continue their venues and enjoy good participation. The Clinton County Fair recorded some of the highest bidding ever for its animals in the history of the fair.

Commissioner Regis also congratulated Black Star Farms on their numerous awards during the wine competition, noting there was record attendance at the Gold Medal Wine Reception on August 5. Michigan now has 75 wineries, having grown from only 47 three years ago. This is clear evidence that agriculture continues to expand in Michigan. He also attended the Jackson and Ingham County Fairs, both of which featured quality exhibits and events, offering a great family experience and opportunity to showcase agriculture. His final travel was to Escanaba for the agriculture tours and Commission meetings this week.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER FIKE. MOTION CARRIED.**

**COMMISSIONER COMMENTS:**

**Commissioner Fike** mentioned there is a great interest in urban agriculture in Detroit and other urban centers around the state. Over the last few weeks, there have been several tours that have taken place, including one in Ypsilanti, called the "Tour de Fresh" featuring urban gardens in and around Ypsilanti; the Detroit Agriculture Network annual urban gardening tour and in mid-July; the Ann Arbor Green Belt Tour that took people to preserved farmlands in the region; the Legacy Land Conservancy tour featuring preserved farmlands in Jackson and Washtenaw Counties coming soon; and Michigan Farm Bureau will be touring urban farms in Detroit on August 18.

A recent *New York Times* article featured a young entrepreneur in Monroe County who initiated a community supported agriculture group, whereby individuals purchase a share in a farm, and each week during the growing season, receive a box of produce.

The Michigan Food System Economic Partnership farm to school program was recently featured in the latest edition of *Edible Wow* magazine. Numerous requests for proposals have been issued by various school districts asking for farmers who are interested in selling their products to the schools.

**DIRECTOR'S REPORT**

Director Koivisto reported the Migrant and Seasonal Farmworkers Committee efforts continue and a multi-agency group will be touring camps in the Adrian area later this month.

The Michigan Grape and Wine Industry Wine Competition event was very successful this year, indicating the substantial growing interest in the industry. He congratulated Commissioner Coe on the significant recognition Black Star Farms received.

He attended the Agriculture Heritage Cultural dedication in Ludington, where the community recognized certain agricultural aspects in the area. Funds come to the community from individuals toward development of the heritage park.

In a continuation of the department's agricultural tours to discuss current issues and potential expansion of agricultural businesses in Michigan, he recently visited New Era/Burnett Foods located in New Era.

Yesterday, he traveled to Zeeland for a media event in recognition of Zeeland Farms Services having been selected as the Exporter of the Year.

This year's Ag Expo was an excellent event and the Sale-a-bration raised a significant amount of money for the participating youth. Meijer went above and beyond in providing a substantial contribution toward that event.

Staff are still coordinating efforts around the oil spill in Calhoun County. Also, this afternoon we received notice of a gasoline spill in Imlay City. The 600-gallon leak from an underground storage tank has now been contained and one advisory was sent to an irrigator in the area. In response to inquiry from Commissioner Coe, Director Koivisto advised the Michigan Department of Agriculture (MDA) is always involved in any potential contamination of the waters in the state, especially as they relate to agriculture. In the Calhoun County incident, the department went beyond that role in assisting with the response by helping the National Wildlife Service with animal care. Commissioner Regis reported the department's State Veterinarian, Steve Halstead, coordinated with the Potter Park Zoo, Binder Park Zoo, and Detroit Zoo for the placement of some of the animals needing care.

Director Koivisto reported the department received this week documents advising the department, the Commission, and the Director are being sued by Weare Township over the Malburg Farms livestock siting case. Paperwork has been transferred to the Office of the Attorney General who will be representing all parties in the case.

Much interest has been received on the feral swine issue and he welcomed the producers in the audience who plan to speak to the Commission today.

Commissioner Coe advised he received notice this week of the October 20, 2010, Food Processors Summit to be held in Mt. Pleasant that will focus on the waste water issues food processors are currently experiencing. Director Koivisto advised the department initiated the idea for the conference and is instrumental in its planning. Various state agencies, MSU, USDA, and MEDC are also participating. The Michigan Department of Natural Resources and Environment (MDNRE) has been invited to make various presentations. The goal is to improve facilitation of waste water issues for food processors and investigate potential joint efforts toward funding of projects. In the agriculture economic front, everyone is experiencing problems with this issue. The department has also asked Senator Stabenow's office to consider within the next Farm Bill assistance for the food processors by providing municipalities with sufficient means to increase their capacity to handle food processing waste water. Commissioner Coe noted this is a key issue that everyone should support within their local communities. Commissioner Green advised he is very interested in this issue from the methane digester standpoint, for which food processing waste water can provide a feedstock source. Director Koivisto advised the magnitude of the food processing industry is demonstrated in their numbers – there are 612 major food processors in the state, with a significant number of them each employing 300-500 people.

## **DIRECTOR'S TRAVEL**

Director Koivisto has no out-of-state travel planned in the near future.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

The majority of those registered for public comment requested to speak following the viewing of the Michigan Pork Producers Association video message relative to feral swine.

**Mr. Greg Johnson, United Deer Farmers of Michigan and Bear Mountain LLC, Negaunee, Michigan**, provided two handouts for discussion. He noted by definition, feral swine are actually domestic livestock animals that left captivity, just as a cat can be feral, but a bobcat is not feral. This will be a key issue as to whether the sporting swine industry will grow and thrive. The United Deer Farmers of Michigan (UDFofM) has worked diligently to develop solutions. He stated that we do not have feral swine in our hunting estates, we condone them, and we don't want them in Michigan. We do not want to see livestock at large in the environment and we worked very hard to facilitate the passage of a bill passed allowing the shooting of swine running at large.

The worst case scenario to date occurred in Baraga County where a fence was cut and animals were released into the environment. The County Prosecuting Attorney worked with the State to allow shooting of those animals running at large in the county and that threat was eliminated within one year. This was the model for the legislation recently passed.

He stated the claims that feral swine are everywhere in Michigan is simply not the case and there is absolutely no feral pig population in Michigan's Upper Peninsula. The hunting facilities can be managed and controlled. But, the domestic farm pigs are not identified, they are not tagged – the pigs on hunting facilities are tagged and extensively documented. MDNRE will present that feral swine should be added to the Invasive Species Listing. This means that livestock will be placed on that list and eventually MDNRE will have control over all pigs. If livestock are considered an invasive species, this is just the first step. Cows and cattle could be considered an invasive species – it is the same theory – if you can place one livestock animal on the list, you can easily add others. MDNRE would view cows as a source of bovine TB and have the power to limit the number of cows per facility in order to protect the deer herd. The environmental regulations allow MDNRE to challenge anyone.

The hunting estates are simply asking for the opportunity, just as other agriculture industries, to flourish and thrive. UDFofM members follow the rules – if those rules need to be stricter, we should develop a legislative solution. We know legislators are willing to work with us and we would like to work with MDA. We are ready to address any problems that may exist.

**MICHIGAN PORK PRODUCERS ASSOCIATION MESSAGE ON FERAL SWINE**

Because they were unable to travel the distance to attend today's Meeting, the Michigan Pork Producers Association (MPPA) requested their video regarding feral swine be shown during the Commission meeting today. The Commission viewed the video, which outlined MPPA's concerns regarding feral swine and why they believe an invasive species declaration is critical to Michigan.

On the video, Executive Vice President, Sam Hines, expressed concerns regarding the threat of disease for commercial swine from the feral swine population. He explained how devastating a disease outbreak, such as Pseudorabies (PrV), would be to the pork industry and ultimately, to the economy of Michigan. The domestic pork industry is a major contributor to Michigan's agricultural economy, generating more than \$250 million annually in sales, supporting nearly \$400 million of gross state product in activities created by the industry, and creating approximately 5,300 pork-related jobs for the state. One of the major concerns is the prospect of feral swine carrying diseases and transferring those to the domestic swine. The pork industry nationwide spent \$30 million annually in the eradication of PrV, which is often carried by pigs in the wild. The breed of hogs most often found on the hunting facilities is very adaptable to the wild, are very aggressive, and it is very difficult to contain them behind fences. They have been found to carry as many as 30 viral and bacterial diseases and at least 37 parasites.

Today, approximately 28 percent of the hogs raised in Michigan and the U.S. are being exported in the form of fresh and processed pork products. Also, a majority of pigs are born in Michigan and shipped to surrounding states to be finished. A PrV outbreak would imperil the free movement of pork between states and in the export market. Because there is not sufficient housing or processing capability in Michigan to handle those animals, this would be devastating to the pork industry.

The economic importance of the pork industry in Michigan is far too great to jeopardize by not doing everything possible to eradicate the menace that feral hogs present. MPPA, representing Michigan's 2,100 pork producers, is very supportive of efforts by MDNRE toward declaring feral swine an invasive species in Michigan.

MPPA President, Dennis DeYoung, added his comments on the video, noting there have been sightings of feral pigs in his area of Allegan County and the population is not manageable in the wild. If there were a disease outbreak, the loss to the pork industry would be huge. He reiterated the concerns expressed by Mr. Hines, noting that eradication of the feral swine population is needed as soon as possible. Other states have indicated that now is the time to move in that direction and any delay would develop into an uncontrollable situation. He, along with MPPA's members, supports adding feral swine to the Invasive Species List in Michigan.

In conclusion, the video featured Mr. Kris DuFlo, a swine producer in the central part of the state, who added personal concerns about the threat of feral swine from a producer's standpoint – to both the pork and cash crop industries. He reiterated the statements made by Mr. Hines and Mr. DeYoung, noting Michigan cannot afford to lose its PrV-free status. The state is not in an economic position to effectively handle another PrV outbreak. Additionally, he emphasized that attempts to regulate the swine shooting facilities could not be successful without the necessary funding, which would be nearly impossible to obtain in today's economic climate.

Commissioner Regis noted the Commissioners each have a copy of the letter from MPPA stating Michigan's pork producers have asked MPPA to be strong advocates for pursuing aggressive efforts to eliminate the risk wild hogs pose to the domestic swine

industry. Also, a letter from the Michigan Agri-Business Association was received by each Commissioner yesterday communicating support of the invasive species declaration for feral swine.

### **PUBLIC COMMENT**

**Mr. Doug Miller, Thunder Hills Ranch, Concord, Michigan**, said he saw very little truth about feral swine and the hunting industry in the MPPA video. The hunting industry can be completely and successfully regulated. They keep stating that feral swine are coming from the hunting ranches. He referred to printouts from the MDNRE website indicating feral swine in Oakland County and there are no hunting ranches within 100 miles of that area. Also listed are Lenawee, Hillsdale, Berrien, Counties – there are no hunting ranches in any of these counties. Reports of killed feral swine were not compiled prior to 2006; yet, they quote statistics from 2002-2006. So, how do we know that any of their numbers, or anything the MDNRE states is factual? It took four years of industry effort to gain the legislation to allow shooting of swine running at large. The other important fact, which MPPA noted, every pig in this state carries the wild gene, having been brought here in 1593 by the Spanish settlers. A domestic pig released in the wild (away from its hot house environment) will start growing hair.

Facts are not being used by others when talking about the hunting industry. In 2001, the deer, elk, and swine hunting industry in this state was a \$150 million per year business. There are 500-600 businesses directly related to the hunting industry, some are second generation now, with many others planning to pass their business onto family. The swine in the hunting facilities are not an invasive species. A hog has never escaped my facility. He invited MDNRE to visit his facility to view first hand what he does. How would he stay in business if he allowed his product to escape? There is an agenda here and the game ranches happened to fall under it.

**Mr. Kevin Anthony, Trophy Ranch, Ubly, Michigan**, noted Trophy Ranch is the oldest exotic ranch in Michigan, having been in business for 22 years without an escape and without a violation. In the last few years, MDNRE and the State Police have shown up on his property with guns drawn; they target him because he is the top facility. He noted that Governor Granholm appointed Russ Mason as the key person to take care of the hunting facilities and one of his stated goals is to eliminate high fences and baiting. His tactics have been successful, as there were over 900 hunting facilities and now there are less than 200 in the deer industry with high fencing. He reported that two years ago, a buffalo was shot through his fence by a poacher. Neither the State Police nor MDNRE would do anything. The State is out to eliminate the hunting ranches. If this happens, what do I do for a living? I'm 56 years old; my only choice would be to file bankruptcy. And everyone along with me will be forced to fold. The video shows feral swine is a problem. Feral is something outside that no one owns. There are more horses running wild in the state than there are pigs. How they can claim that there are 4,000-7,000 wild pigs is a mystery; there is no documentation to support those numbers. We test our hogs much more frequently than is required for the commercial industry. All of our hogs are tested when received and each dead animal is blood tested. The pork producers are not required to do this. Even though Texas is overrun with feral pigs, it is still legal to bring pigs, including Russian boars and other exotics, into that state.

**Mr. Jeff DeBacker, Superior Game Ranch, Cornell, Michigan**, reported that he and his wife, after losing money in the dairy business, invested everything into their 2,100 acre game ranch. He is concerned about land owner rights; what happened to our rights on our property? I have worked over 40 years with health inspectors in the dairy industry and have never had a problem. A regulation program would work very well for the game ranches. I do not see why they need to shut us down. If the Invasive Species Order is adopted, it will put me out of business. The industry is more than willing to work with the State to ensure there is no PrV. He asked the Commission for their support of implementing regulations to ensure continuation of the game ranch industry. Commissioner Regis noted the Commission will be visiting Superior Game Ranch the following day.

**Mr. Roger Turunen, Baraga, Michigan**, advised he began raising pigs for the game ranches 10-12 years ago, has a securely fenced facility, and no pigs escape. He talked with Brad Johnson, a wildlife biologist, who advised he has never seen a sign of a wild pig in the 14 years he has been in the UP. People see wolves every day in the UP, and no one sees feral pigs. MDNRE's numbers of feral swine are simply not correct. There is no feral pig problem in Michigan, yet the pork producers and MDNRE have a personal agenda to eliminate hunting behind fences. Hunting behind fences has been on this planet since the Roman days, it is in all 50 states, and it will be here as long there are people willing to pay the money to hunt.

**Mr. Joe Fabus, Fabus Exotics, Elsie, Michigan**, noted PrV was eradicated several years ago following an outbreak. His facility was quarantined, tested, and continues to be tested every three months for PrV. He also tags each of his animals. His facility has proven to be clean from disease. The game ranch industry asks for a good regulation program. If pigs in the wild do have PrV, they are unable to reproduce, they abort and the babies die shortly after birth. Most of the pigs being sighted are domestic pigs; they are not the animals being raised for the hunting ranches.

In response to question from Commissioner Green, Mr. Fabus advised the pigs killed in Gratiot County by the State were domestic breed animals that escaped as a result of a poorly operated hunting facility. Commissioner Coe advised in that specific case, the hunting ranch operator sourced his pigs from a domestic breeder and the pigs were brought onto the facility just days before the hunt. This facility did not have adequate fencing and as Mr. Fabus described, was a bad operator. The pigs were found to have PrV, but had been raised on a domestic farm.

**Mr. Greg Johnson** was recognized by Chairman Regis for additional remarks. Mr. Johnson advised if they put livestock on the Invasive Species List, we open a door that we really do not want to go through. The hunting industry does have a solution. In working with the Feral Swine Working Group and Dr. Frank, they have drafted parameters with which to regulate the hunting industry. Included are payment systems, inspections, bio-security, testing, tagging, and cradle to grave manifests. Legislators have indicated they want to work with the industry to preserve the businesses. Good regulations are needed, just as they exist for any industry, and that program can be very successful. This is an agricultural industry and they would like the opportunity for it to grow and flourish while ensuring natural resources in Michigan are safe. Everyone

needs to have Right to Farm and this is what we would strive toward with a regulatory program – most of which are already being used by the leaders in the industry. The industry is ready and willing to work with MDA to make this happen.

In response to inquiry from Commissioner Regis, Mr. Johnson advised the proposed regulations are the initial product of the Feral Swine Working Group. A legislator will take the drafts that the engineers and scientists have developed to the bill writers and attorneys. Several legislators have already been involved in the process.

Mr. Johnson, in response to question from Commissioner Regis, advised he maintains an entire breeding population on this facility. Guests come to Bear Mountain and pay a fee for lodging and for hunting within the estate.

Commissioner Coe referred to the proposed legislation included in Mr. Johnson's information and pointed out administering a regulation program with MDA's currently reduced funding resources requires financial input from the industry. The fee structure in the proposal does not seem to take into consideration the size of a facility and he suggested the industry seek instead fees assessed on the basis of the animals taken to allow for a more equitable cost distribution and generate the level of funding needed to administer the program. Mr. Johnson acknowledged options could be considered; and he added that once regulation is administered by MDA, the costs would become extremely reasonable. Commissioner Coe suggested they look at the commodity industry check-off program as a model for an effective program to ensure the hunting industry is protected; the industry needs to bear that responsibility and an equitable scale should be a consideration.

In response to inquiry from Commissioner Regis relative to the timetable, Mr. Johnson advised the industry is ready to move as soon as the bills are passed. They expect the bills to be introduced in the near future and the legislators have indicated we could see regulations yet this year. Responding to inquiry from Commissioner Regis, Mr. Johnson advised the engineered design capacity of his facility allows for 800 pigs per year.

Director Koivisto advised the department is placed in a predicament with this issue. If there is nothing on the books regulation-wise and nothing is being done to prevent the bad actors, and have another outbreak of disease that threatens the commercial herd, this will be extremely unfortunate for the department, the industry, and everyone. If there is a regulatory program that can to a large extent prevent this, it must be done very quickly. While not in opposition to the hunting facilities, MDA has the responsibility of protecting the herd. We need to be able to state there is effective regulation in place. Mr. Johnson advised the industry has been poised since 2008 to move very swiftly on any regulation implemented.

Mr. Johnson will provide an extra copy of the information packet that was sent directly to the Commissioners to Ms. Ayers for the Commission public meeting record.

Commissioner Coe advised his frustration lies with the Legislature. We know we have an issue, testimony has been received over the last few years, and we know some of the solutions to prevent the risk of spreading PrV from wild animals to domestic – and yet,

we say we aren't able to do anything until we have legislation. Members of the hunting industry have responsibility in the protection of their own livelihoods to ensure everything that is in the suggested regulations is actually being done right now. Mr. Johnson confirmed the good operators are doing exactly that – this will be demonstrated during the tour of Superior Game Ranch tomorrow.

Commissioner Green advised the regulations should cover all hogs, domestic and hunting. Commissioner Regis confirmed a small amount of regulation currently exists for the pork producers.

Commissioner Regis advised that without legislative action that grants MDA the ability to regulate hunting behind fences, the Commission, through the department, is not allowed to impose any regulations on the industry.

Mr. Johnson advised the industry clearly wants to move forward with the regulations. The legislative tool is needed to allow MDA to complete its regulation work and to protect the industry's Right to Farm.

**Mr. Jason Felder, Gordy's Russian Boar Farm, Cedar Springs, Michigan**, about ten years ago, he and his brother-in-law started a business raising swine. Before the testing requirements were in effect, they had already inquired about regulations for testing. He advised they now are required to test ten percent of their herd every three months and they double that rate to ensure there are no problems. Every pig that leaves their facility is tagged and the State is given a copy of that record. He encouraged the Commission to take into consideration they want the regulations and invite a visit to their facility, which is 60 acres and often has 350 head at one time. He has never had a single pig escape in the ten years he has been in business. Everyone says the hunting pigs are wild pigs; but, they are fathered by penned pigs, they are farmed animals on a family-run business. He encouraged the Commission to carefully consider all aspects of the situation. If the hunting facilities are forced out of business, there will be a considerable amount of money lost in this state. He encouraged the enactment of regulations, noting they will be more than happy to help in whatever way they can.

Director Koivisto advised there is a clear division of duties between MDA and MDNRE for the hunting facilities. MDA is responsible for the health of the animals; the fencing and other criteria currently falls under MDNRE. Therefore, new enabling legislation needs to be enacted to allow MDA to regulate the industry.

The Director shared a document just received and asked the Commission to review the information in preparation for the Joint Commission meeting tomorrow. The *Grand Rapids Press* published an article entitled "Let the sparring begin: State wildlife biologists want wild pigs banned from Michigan," which clearly states MDNRE's position on the authority level of the feral swine issue.

Commissioner Regis thanked each of the producers for their comments today. The Commission appreciates the attendance and participation in the meeting.

#### **LEGISLATIVE UPDATE: Gordon Wenk, Chief Deputy Director**

Mr. Wenk reported The House has cancelled session for this week and is currently scheduled to return to Lansing on August 17. The Senate is scheduled to be in session this week, on Wednesday.

Since the last Commission meeting, House Bill 4663, sponsored by Rep. John Espinoza passed the House. The bill would amend Public Act 287 of 1969 to phase in certain restrictions on the sale or transfer of dogs or cats from animal control shelters and animal protection shelters to dealers and research facilities. Public Act 224 of 1969 is an act to license and regulate dealers in and research facilities using dogs and cats for research purposes. The Michigan Department of Agriculture currently has authority to inspect, license, and regulate dealers and research facilities under the act. The department would also have the authority to enforce the amendatory provisions of HB 4663 if enacted. However, MDA does not currently regulate "Class B" animal dealers or research facilities, as these are currently licensed by the United States Department of Agriculture, under the federal Animal Welfare Act. In addition, the department does not currently have the resources to enforce provisions of the act. The proposed Agriculture budget for FY 2010-2011 would also eliminate support for certain department animal health and welfare activities including Animal Control Shelter inspection programs under the Dog Law of 1919 and Animal Protection Shelter regulatory programs under PA 287 of 1969 (Pet Shops).

The third bill in the Cottage Food bills, House Bill 5843, was signed by the Governor and is Public Act 145 of 2010. The bill was sponsored by Rep. Vicki Barnett and will amend the Food Law to exempt from licensure retail outlets and processing facilities for producers with gross sales of \$15,000 or less of honey or maple syrup, if the honey or syrup met certain labeling requirements.

In response to inquiry from Commissioner Fike, Commissioner Coe advised no further action has been taken on the Small Distillers legislation.

#### **BUDGET UPDATE: Gordon Wenk, Chief Deputy Director**

Mr. Wenk advised there has been no further activity on the department's budget within the Legislature. The State Budget Office notified the department to begin preparation of the 2012 budget. It is hopeful that movement on the 2011 budget can be reported soon. In response to inquiry from Commissioner Coe, Mr. Wenk advised the 2011 budget must be in place by September 30, 2010, and if not, a continuation budget could be approved or shut down of operations would be implemented.

#### **EASTERN EQUINE ENCEPHALITIS UPDATE: Gordon Wenk, Chief Deputy Director**

Mr. Wenk reported Eastern Equine Encephalitis (EEE) is caused by an arbovirus, a virus transmitted by the bite of an insect, typically an infected mosquito. The disease typically circulates in the wild between mosquitoes and wild birds. Infection with the virus results in inflammation of the brain. Infected mosquitoes can transmit EEE to humans and various mammals such as equine. Horses infected with EEE cannot transmit EEE directly to humans or other horses nor can humans transmit EEE directly to horses or other humans. Other diseases caused by arbovirus include West Nile Virus, Western Equine Encephalitis, and Venezuelan Equine Encephalitis.

Because the mortality rate can be up to 90% for horses infected with EEE, this disease is of particular concern. There is added concern as the infected mosquitoes that transmit the disease to horses can also transmit the disease to humans. It is estimated that about 33% of humans infected with EEE die. Many of the humans infected with EEE that survive have significant brain damage.

As of August 9, 2010, there have been 14 confirmed positive cases of EEE and 30 suspect cases in horses from Southwest Michigan for 2010. By far, most of the cases have been in Barry County, although there are cases in Cass, St. Joseph, Calhoun, and Kalamazoo Counties. The horses all presented clinical signs typical of EEE and were not properly vaccinated against EEE, with owners reporting the prime reason being the poor economy. As of August 9, 2010, there have been no confirmed cases of EEE in humans, but there is one highly suspect case in a human from Southwest Michigan that is pending test results.

Because EEE is transmitted to people and horses via a bite of a mosquito, mosquito control and prevention is the key to preventing EEE. Mosquito repellents containing DEET or another equivalent active ingredient should be used when outdoors, particular from dusk to dawn, per label instructions. People are advised to wear protective clothing such as long sleeved shirts and pants during period of peak mosquito activity. It is advised to stable horses from dusk until dawn. In addition, it is important to change and clean the water buckets. There is a vaccine available for Eastern Equine Encephalitis that is highly effective. MDA advises that all horses be vaccinated against EEE, as well as for West Nile Virus and Western Equine Encephalitis, and rabies.

The current rise in EEE cases may be due to the increased rain received in Southwest Michigan this year, coupled with the abnormally warm temperatures in Michigan this spring and summer that led to a particularly high mosquito population. The current poor economy in Michigan may also be playing a role, as many horse owners are forgoing vaccination of their horses against EEE and other diseases for financial reasons. Because EEE circulates between birds and mosquitoes, EEE has periods every few years where there are increased cases, likely due to new birds emerging that have never been exposed to the disease. Michigan likely is experiencing one of these years. It is important to note that a large number of southern and eastern states are experiencing an outbreak of EEE as well this year.

In response to the current increase in EEE cases, MDA has prepared and circulated a press release regarding the outbreak, including educating the public on preventative measures. This information has been made available to the veterinary community. Michigan State University Extension has created a poster on EEE, in consultation with MDA and the Michigan Department of Community Health, to educate horse owners and other members of the public on EEE. This poster will be distributed to public areas where horse owners frequent. In addition, MDA plans to conduct surveillance via Michigan equine practitioners to look for horses with clinical signs comparable with EEE.

### **COMMISSIONER ISSUES**

Commissioner Regis related he received a written request from Michael W. Hamm, C.S. Mott Professor Sustainable Agriculture with MSU, Jane L. Marshall, Executive Director

of the Food Bank Council of Michigan, and the Good Food Charter Honorary Advisory Committee requesting the Commission consider adoption of a proposed resolution in support of the Michigan Good Food Charter. The Charter had been reviewed with the Commission at a previous meeting this year.

**MOTION: COMMISSIONER FIKE MOVED TO ADOPT THE RESOLUTION IN SUPPORT OF THE MICHIGAN GOOD FOOD CHARTER. COMMISSIONER COE SECONDED.**

Commissioner Green advised he objects to the charter because at this point, there are many inaccuracies in the document and various clarifications need to be made. Also the charter asks for the suspension of inspections at certain levels. Food is food, and it should be inspected the same for all uses and wherever it is produced. He would not support the Charter in its current form.

Director Koivisto advised Mr. Wenk prepared a comprehensive review of the charter and submitted extensive comments to the Advisory Committee. There are no conceptual objections; there would simply be problems with implementation of the Charter.

At request of Commissioner Regis, Mr. Wenk advised when he completed review of the Charter, other agencies raised the same concerns as MDA relative to being able to implement the action steps. The Director indicated full support of the principles and intent of the Charter in trying to bring stakeholders together to focus on food systems within the State of Michigan. Some of the specific action items will most likely be impossible for the department to do in light of its current funding resources.

Commissioner Coe agreed there are inaccuracies that need to be corrected and it must include recognition of production agriculture. In light of the principles the group is trying to endorse, he suggested a Commission Subcommittee meet with Mr. Hamm to relate that while the Commission supports the food systems concept, it has some concerns with the resolution they are being asked to adopt.

**COMMISSIONER FIKE WITHDREW THE MOTION TO ADOPT THE RESOLUTION OF SUPPORT FOR THE GOOD FOOD CHARTER.**

Following further discussion, it was determined that Commissioners Fike and Green would comprise a Commission Subcommittee on the Michigan Good Food Charter. They will meet with Mr. Hamm to discuss the Charter in greater detail. Ms. Ayers will schedule a meeting in the near future.

**ADJOURN**

**MOTION: COMMISSIONER FIKE MOVED TO ADJOURN THE MEETING. COMMISSIONER HERIOUX SECONDED. MOTION CARRIED.**

The meeting was adjourned at 5:25 p.m.

Attachments:

A) *Agenda*

- B) *Agriculture Commission Meeting Minutes July 20, 2010*
- C) *Proposed 2010 Meeting Schedule*
- D) *Photos of Northwoods Meat Processing and Munising Hoop House*
- E) *Photos and Presentation Packet, Mr. Greg Johnson, Bear Mountain LLC*
- F) *Michigan Pork Producers Association Video Re: Feral Swine*
- G) *Michigan Pork Producers Association Letter Re: Feral Swine*
- H) *Michigan Agri-Business Association Letter Re: Feral Swine*
- I) *Grand Rapids Press August 8, 2010 Article Re: Feral Swine*
- J) *Legislative Status – August 2010*
- K) *Eastern Equine Encephalitis in Michigan Report*
- L) *Michigan Good Food Charter Proposed Resolution and Letter from Honorary Advisory Committee*