

**MICHIGAN COMMISSION OF AGRICULTURE  
SPECIAL MEETING  
Constitution Hall  
Atrium Level, Con-Con Conference Room  
525 West Allegan Street  
Lansing, Michigan 48933**

**MEETING MINUTES  
JUNE 9, 2008**

**PRESENT:**

James Byrum, Chairperson  
Ann Jousma-Miller, Vice Chairperson  
Dale Norton, Secretary  
Don Coe, Commission of Agriculture  
Todd Regis, Commission of Agriculture  
Don Koivisto, Director, Michigan Department of Agriculture

**CALL TO ORDER AND ROLL CALL**

Chairperson Byrum called the meeting of the Commission of Agriculture to order at 9:01 a.m. on Monday, June 9, 2008, noting it was called for the very specific purpose of discussing swine pseudorabies virus in Michigan. Commissioner Dale Norton called the roll with Commissioners Byrum, Coe, Jousma-Miller, Norton, Regis, and Director Koivisto present.

Commissioner Byrum noted there is concern on part of the Commission and the industry that we learn exactly where we stand with regard to the pseudorabies situation and ensure we move forward with whatever is needed from a policy perspective, and to also ensure all have the opportunity to review and learn the history related to this issue. Just a few years ago, the disease was eradicated in the state and we want to ensure the Commission understands the issues.

**APPROVAL OF AGENDA**

**MOTION: COMMISSIONER REGIS MOVED TO APPROVE THE  
MEETING AGENDA FOR JUNE 9, 2008. SECONDED BY  
COMMISSIONER JOUSMA-MILLER. MOTION CARRIED.**

**NEXT SCHEDULED MEETING**

The next scheduled meeting will be held on July 17, 2008, at Uncle John's Cider Mill just north of St. Johns, Michigan. It will provide an opportunity to highlight Michigan's entrepreneurs, ag tourism, and farm market activities – some very positive things going on in the state.

## **COMMISSIONERS' TRAVEL**

Commissioners Coe, Jousma-Miller, and Norton submitted travel expense for attendance at this meeting.

There was no other travel submitted for approval.

**MOTION: COMMISSIONER NORTON MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

## **PUBLIC COMMENT (AGENDA ITEM ONLY)**

Commissioner Byrum reviewed the Commission Policy relative to Public Comment, which dictates each individual speaking be limited to three minutes. Several had indicated their desire to comment on the agenda item and were called forward in alphabetical order.

**Mr. Kevin Anthony of Trophy Ranch in Ubly, Michigan**, noted his operation has been in the hog hunting business since 1988, is the oldest continual running ranch in Michigan, and has no violations. He stated that, while understanding the quarantine related to pseudorabies, all animals have tested negative at his ranch; and he is submitting for the third time samples from the same pigs. The state is now requiring him to slaughter test his animals; three were slaughtered to provide those samples; and MDA (Angie Butler and Melanie Brown) has not returned his calls.

He also has deer and elk on his ranch and holds a cervid–A license. He has never had an animal escape the facility. He does something different than other producers, he rings his hogs which prevents them from rooting and also has a separate facility to tag and test the animals. Enforcement officer, Al Rodriguez, who has been working with him for years, took several photographs to demonstrate what he does differently. He currently operates two ranches, which represent a \$1.5 million investment.

He realizes the problems created because the business has not been regulated by MDA and DNR; it has been a wide-open market. Many ranches have only four-foot tall fences and these hogs are capable of jumping five feet; this is where the problem arises. All of his fences are ten feet tall.

Most of his hogs are obtained in Michigan; he has not purchased a pig out of state in several years; all his animals are tested as they are brought to the ranch; and each animal killed is also tested. Each animal is ID tagged and held in confinement until released for the hunt, which allows for knowing at any point in time which animals are still at large within his confinement area. Mr. Anthony thanked the Commission for the opportunity to speak today.

**Mr. Ernie Birchmeier**, from the **Michigan Farm Bureau**, noted the entire feral swine issue and the occurrence of pseudorabies has been of concern to the industry. Maintaining our pseudorabies free status is critical to the entire swine industry, and to the entire livestock industry, as we have dealt with a number of disease issues across the state over the last decade. Farm Bureau policy strongly supports having a healthy livestock population in the state, ensuring it is done from a sound scientific basis, that the actions taken target eradication of any disease break-out, and that indemnification is implemented where appropriate.

Where the disease has been found, Farm Bureau strongly urges the department to work to complete circle testing in the five-mile radius to determine location and prevalence, and to continue working toward eradication of the disease. The Bureau recognizes the department has been working diligently on these areas and supports them in their efforts. On those hunting ranches where the disease has been found, they are very concerned they have not yet been depopulated. While recognizing the issues surrounding indemnification, from a disease eradication standpoint, it is critical those facilities are depopulated in a timely manner.

They also are aware that exhibition testing requirements have been implemented, and have received a number of calls from concerned swine exhibitors relative to the cost of testing and the need to complete that testing. Farm Bureau policy supports the elimination of testing requirements, as Michigan has been pseudorabies negative for a number of years. In 20-25 years of testing, the disease has not been found in the exhibition herd across the state. The implementation of a terminal show is appreciated, but there are those shows where it may not be possible to have a terminal show and testing requirements would be an economic burden. A number of shows across the state that have educational exhibits, such as the "Miracle of Life" exhibits that do not allow for that show to be terminal.

Farm Bureau does not have a specific policy relative to hunting ranches and their legislative committee will be considering that issue in the near future. He noted the need to differentiate between hunting swine and feral swine.

Commissioner Byrum confirmed there are two distinct issues being considered, feral swine being those animals running loose around the state, and sport swine that are confined for hunting purposes.

**Mr. David Cheney**, President of the **Michigan Pork Producers Association**, presented the following statement on behalf of the association:

Michigan Pork Producers Association was formed in 1969 and administers programs in pork promotion, research and consumer information that are financed by the state's pork producers through a national, legislatively-established check-off program. As a state affiliate of the National Pork Producers Council, Michigan Pork Producers Association also works with the national organization to protect the livelihood of producers by fighting for reasonable legislation and regulations and developing revenue and market opportunities. Both our organization and the National Pork Producers Council are major players in representing pork producers in legislative, regulatory and trade issues at the state, national, and international levels.

Michigan's pork producers are extremely concerned about the discovery of pseudorabies at the sport shooting facilities and the threat these animals pose to the domestic pork industry. For some time, pork producers have been alarmed by the escalating numbers of feral swine observed in Michigan. Animals that have escaped from the sport shooting facilities have likely been a factor in increasing the feral swine population and these animals are excellent vectors for transmitting diseases. As you heard from previous presenters, in 2000 Michigan was successful in eradicating pseudorabies from its commercial swine herds. As you also heard earlier, pseudorabies, prior to being eradicated in commercial swine herds, was an economically devastating disease. The re-appearance of this disease in commercial swine herds in Michigan could cost the state its pseudorabies free status and this would likely mean that other states would close their borders and disallow Michigan swine to enter. Many of Michigan's commercial producers have contractual finishing arrangements with producers in surrounding states and, if they were no longer allowed to send animals to these states, it would be economically devastating. In fact, there currently isn't enough finishing space to accommodate these animals in Michigan, so if it were impossible to ship them out of state, it would significantly diminish their value.

Michigan's producers have asked this organization to be a strong advocate for pursuing aggressive efforts to eliminate the current pseudorabies outbreak in the sport shooting facilities and dealing with the feral swine problem. Michigan Pork Producers Association fully supports the directive spelled out in the 2007 Resolution that was passed jointly by the Commissions of Agriculture and Natural Resources that recommends steps be taken to make sport shooting of swine behind fences illegal. To do anything less, puts a more than half billion dollar contributor to the state's economy at great risk.

Michigan Pork Producers Association commends the Department of Agriculture for the aggressive action it has taken so far in dealing with the pseudorabies outbreak in transitional swine. We encourage the Department to use all the authority it has to move quickly to eliminate the pseudorabies positive herds and to continue the necessary surveillance testing. We support the action taken

requiring that swine participating in fairs and exhibitions either be tested or participate in a terminal show. Michigan Pork Producers Association recommended this action when the Pseudorabies Eradication Program was being conducted and believe it is a necessary precaution to protect the commercial pork industry while efforts to determine the status of pseudorabies in transitional swine are ongoing. Additionally, we suggest that the Department consider recommending that the owners of fair and exhibition animals register their premises. The pork industry supports mandatory premises identification for all swine herds and would support the Department requiring all swine herds in Michigan to obtain a premise identification number.

Thank you for convening this special meeting to address the pseudorabies problem and for the opportunity to offer these comments.

In response to question from Commission Coe, it was noted the approximate cost per animal for testing prior to exhibition varies dependent upon the total number of animals each exhibitor is presenting. Commissioner Regis inquired relative to how this issue has affected other pork producers, Mr. Cheney noted in the past, anyone having pseudorabies was quarantined and the process was very costly, some producers lost their livelihood as a result. With some producers having multi-million dollar businesses, having this disease in the swine industry would have a devastating affect on the entire state because of the amount of revenue brought into Michigan's economy by the pork industry.

**Greg Johnson, of Bear Mountain LLC, in Negaunee, Michigan,** thanked the Commission for the opportunity to speak and provided a brief summary of his background and provided several documents supporting the healthy, secure status of his hunting operation, which has been in operation since 2002. He has been working closely with the department on all issues surrounding the 2007 documentation of pseudorabies in lower Michigan and his facility has been prepared and key in addressing those issues.

Relative to the feral swine issue and its relation to pseudorabies, if spread throughout Michigan, it would also destroy his business. In 2002, when he designed and built his state of the art facility, this was a concern in Baraga County; they were asking for assistance from the State and it was documented as a local safety issue. He requested this issue also be addressed during the agenda item discussion today.

Mr. Johnson reported he has never purchased a boar from Lower Michigan and all of his animals are brought in with full chain of custody known, veterinary inspections, seal of approval by USDA, herd testing, steel identification tags with double trace-back capabilities, cradle to grave paperwork tracing, and blood samples are currently being provided to the department. He receives pigs by the

truck load, they do occasionally receive a female which creates an incidental population; these smaller pigs are then killed by the younger hunters with smaller firepower.

In response to inquiry by Commissioner Coe, Mr. Johnson confirmed he does have eight elk and a limited number of white-tailed deer, and operates as an Estate Hunt (Licensed High Fence Enclosure). Boars are released into the wooded areas and are free-range, with a balanced number maintained for the hunts on the 100-acre site. The perimeters are buffer cleared, have an electric fence, and a ten-foot property fencing. He has positively identified all animals, with absolutely no evidence of any animal escape.

Commissioner Coe, asked Mr. Johnson what he feels would be an appropriate sanction if a game ranch operator allowed animals to escape his property. Mr. Johnson advised that, if not able to work out at the administrative level, they would offer to work with the department to develop a legislative solution (perhaps under the Animal Control Act); he feels these animals should be shot if released from containment; and if a facility is loosing animals, he feels they should be shut down – it is a major concern. He stated feral swine is not a local issue and should be addressed by the State authorities.

**Caleb Schaeffer**, from **Circle K Family Farms** and **Lafayette Pork Production**, Perrinton, Michigan, noted his company expresses their support of MDA, Michigan Farm Bureau, and Michigan Pork Producers Association for the actions they have demonstrated and their standpoint on this issue. Their facilities are very close to some of the quarantined areas and they are very concerned regarding this issue and have increased their bio-security processes as a result. They support all of the efforts being taken to preserve proper stockmanship and the current status of Michigan's swine health.

Mr. Schaeffer reported they have one unit with a 4800 head finishing unit and another with 3400 breeding females, both within a few miles of the quarantined area. In response to question by Commissioner Regis, he explained the very stringent bio-security measures protecting their operations.

In response to questions by Commissioners Coe and Byrum, Mr. Caleb noted the animals on their facilities are confined by conventional quad cells, which eliminate nose-to-nose contact of animals. Animals are not ID tagged, but very accurate counts of all animals in and out are maintained, and they can be very confident no pigs have escaped into the wild from any of their properties. In the year 2008, they project to sell between 145,000-148,000 market hogs, the majority of which will be marketed to a processor in Indiana.

**Mr. Steve Thelen, Manager, Jackson County Fair**, brought greetings from Mr. Brown who is out of state and unable to attend today. The Jackson County Fair has concerns they are losing a positive agriculture education opportunity through the positive farm to table concept. They urge that there is a quick and immediate conclusion to this particular pseudorabies situation, as it is affecting 2009 planning activities currently underway. They understand the need for the current test or terminal actions at fairs; however this removes two-thirds of the learning center at the Jackson County Fair. They are concerned about the additional cost to their commercial producers who provide the swine for the litters born at the fair and advised they were receiving those animals at no cost. Concerns also arise due to the lack of sufficient veterinarians to administer the test required for fair exhibition. The test or terminal order for exhibition swine detrimentally affects Project R.E.D. (Rural Education Demonstration) across the state, which is an opportunity for educating our urban youth. They are receiving reports of quotes from \$50-100 for swine testing, and this represents a considerable additional cost to youth livestock exhibitors, who often are already paying higher than market prices to begin their project.

In response to question by Commissioner Coe, Mr. Thelen advised no admission for the “birthing barn” is normally charged at any of the fairs across the state. And if there were an emergency concerning a particular disease, he would support a temporary cessation of the fair display in the interest of public health and protection of the industry.

**Mr. Scott Turner of Michigan Trophy Hunts**, stated his operation has been in operation for almost 18 years, has always cooperated with and has a good relationship with the Department of Agriculture. Having tested positive for pseudorabies two months ago, their operation has done everything MDA has requested. Initially, they did continue hunting, until the USDA became involved, who ordered hunting be stopped. Mr. Turner’s operation advised MDA and USDA that they could actually hunt all of the pigs out before the process was completed, because normally their season runs in the winter, with no animals on the facility during summer months. They do approximately \$250,000 to \$300,000 worth of hunts per year. Their pigs are different from the previous ranch presenting this morning, they obtain pigs from local swine barns – they are barn-raised pigs, as opposed to wild boars. Pig raisers in Gladwin County and in their county provide their animals.

The reason they are not depopulated at the moment is due to the indemnification issue. USDA presented a proposal of \$.60 per pound, which is not enough considering the amount invested in the animals and the facility.

In response to inquiry from Commissioner Coe, Mr. Turner reported currently certification of boars brought onto his property is not provided, but they are not

opposed to having some time of pseudorabies testing performed on pigs coming to their facility. Their animals are alive for only a matter of hours. They are brought in on a Wednesday or Thursday and by Sunday, they are gone. In the occurrence in which pseudorabies appeared, the pigs were obtained from a supplier in Gladwin who subsequently tested positive for pseudorabies, and all facilities to which he sold are now also being tested. They have no problem with requiring testing and tagging of all animals in the future.

As requested by Commissioner Norton, Mr. Turner explained how a hunt is coordinated at Michigan Trophy Hunts. He reported it basically is an entertainment atmosphere, with 20-25 hunters spending the weekend at their lodge, partying Friday afternoon and evening, Saturday they each hunt a pig, and they depart on Sunday. He also noted the meat from the hunted pigs is not wasted, it is ultimately consumed. The pig hunt is not the primary objective, it is to get away and have an enjoyable weekend, as opposed to a true sporting experience offered at some other ranches. In response to question of how the meat then is any more valuable than a commercial hog, Mr. Turner advised his customers want the meat, along with the easy hunting experience.

Commissioner Coe appreciated the explanation of an operation of this type of facility and asked if he were aware what type of experience other ranches offered. Mr. Turner reported many, probably most, of the facilities in the state offer a hunting experience similar to his and felt most likely more than the currently 40 identified actually exist. Because his facility also has deer and elk, they are a licensed facility. Due to the fact boar hunting is not regulated by the State, anyone can put up a fence and populate the property with pigs. There would be no regulation of that operation, the State most likely would not be aware of the operation, nor have any control over it.

In response to question from Commissioner Jousma-Miller, Mr. Turner reported they have had animals escape their facility, noting it is a fine line with which they deal currently; because he bulldozes dirt around the bottom of his 4-1/2 miles of fence to prevent his animals from digging underneath; and subsequently the Michigan Department of Natural Resources (MDNR) measures and advises his fences are no longer meet the 10-foot high requirement, they subsequently want him to scrape the dirt away – making it very difficult to maintain 4-1/2 miles of fence. He reported a wash-out this spring allowed several pigs to escape to an adjacent field; he very easily corralled them back under the fence and repaired the hole.

Commissioner Jousma-Miller inquired relative to the pigs tested on his facility. Mr. Turner reported the pigs acquired from the Gladwin supplier tested positive; however, subsequent pigs tested on his facility have been negative.



In response to inquiry from Commissioner Regis, Mr. Turner reported he paid \$300 for each Russian pig, with an average weight of 150-180 lbs. He confirmed the majority of hunt clubs operate similar to his; they charge \$450 per guest, which includes the pig, lodging, and meals. He confirmed he has no issue with pseudorabies testing or tagging and would comply with any directives or requirements.

**Mr. Dave Tharren, from Crosswell, Michigan,** reported he is a licensed livestock dealer and broker. To his knowledge, there is no law currently in Michigan that states that you cannot buy, raise, sell, or shoot wild boar in the State of Michigan. He advised that he is attempting to represent not only livestock brokers, but some of the hunting preserves who could not come to the meeting. Some of the preserves are wondering why they are being quarantined if they did not purchase from a pseudorabies farm, or have not previously tested positive for pseudorabies on their premises. Commissioner Byrum noted that, until tested, a risk is assumed.

The positive farms and ranches are of great concern to him and the others he represents. He asked why the positive pigs are still alive two months after being confirmed positive for pseudorabies. He believes what is fair for the wild boar facilities should be fair for every stockyard in the State of Michigan from which feeder pigs being sold – they should be identified and tagged.

His last issue dealt with the value of the hunting pigs. There are different aspects of the hunting experience, some are shooting for fun, and some are going for a weekend hunt. Most hunting ranches are charging \$400-700 per pig, which is a low cost, especially if you compare that to hog prices down South; they are shooting hogs for \$675 to \$875. The average wild boar in the State of Michigan is being sold for \$1.50 to \$1.75 per pound, and most hunting preserves are buying 200-325 pound pigs, so they do have a fair investment in each of these pigs. Many of these preserves are buying the Russians and the larger pigs.

Commissioner Coe noted we have a responsibility for food safety, part of that involves testing of animals on a protective basis to determine if there may be a disease, so the chain of custody is important. Even though a preserve has never purchased a pig from a facility testing positive for pseudorabies, there is some responsibility for preventive testing. A number of State Veterinarians (at a State Veterinarians meeting I attended recently) have said that even with regulations and rules, there is a certain amount of smuggling of animals into a state. There has to be some testing to control that issue.

Mr. Tharren reiterated there currently is no law that would regulate the wild boar business and questioned if we are changing something, and if so, we need to inform producers of those requirements. Commissioner Byrum confirmed, based

on a Director's order, there currently is a quarantine in effect, making it currently illegal to move animals at this time.

### **PSEUDORABIES VIRUS (PRV) AND OTHER LIVESTOCK DISEASES IN MICHIGAN**

**Barbara Straw, DVM, MSU College of Veterinary Medicine**, provided an overview and history of the progression of the pseudorabies virus and the specifics of transmission and spread of the disease. The disease was first seen in cattle in 1849 and by the 1900's, it was determined this same virus affected a range of different animals, being primarily fatal, except in pigs, where some are able to survive. Optimal conditions for infection are a large dose of virus presented to a naïve animal, or a very young animal.

In 1970, a change occurred in the disease due to the modernization of the swine industry, which created the optimal environment for this virus to take hold. She explained the transmission, spread, and immunity that develops after infection if not fatal. The disease is a disaster in a modern swine facility.

The virus stays active in the environment for a considerable amount of time and an infected pig will shed the virus for up to three weeks after infection, and any time later when a latent virus is reactivated. The animal is infected for life. If there are numerous sick animals in a particular area, it can travel up to two miles in the air.

The control programs were built around vaccination and management. Vaccines are very expensive and need to be administered in the correct manner. When the industry needed to eradicate the disease, various management strategies were the best answer. However, management strategies are not available for feral swine. And, once a feral pig contracts pseudorabies, it is a potential vector for life.

Commissioner Coe noted the need to separate commercial swine, rather in a commercial operation or hunting camp, from the feral pigs. He asked Dr. Straw if there were regulations in the state implemented for animals in commercial operations controlling animals from birth to slaughter, if that would be sufficient protection for the industry; and then, how that relates to the issue originating from the fact we don't have regulations in place for animals going into sporting activities. Dr. Straw agreed that was the issue and noted it is apparently a big question, because once a pig is infected, it remains infected forever and pigs have been seen running at large all over Michigan. The difficulty in saying how best to manage this is that, if you keep them apart, you would have to legislate that anyone owning a commercial pig needs a three-foot concrete wall around an enclosure; it couldn't be kept in a pen in the back yard, because that allows fence-line contact to the feral pigs.

In response to inquiry by Commissioner Jousma-Miller, Dr. Straw advised any vaccination program is very expensive and proper administration is critical to its effectiveness, it must be given at a precise time and in an exact location in the animal.

Commissioner Coe asked about the potential of an airborne infection. Dr. Straw noted dilution is the cure to pollution in most cases, although it could happen. In response to question from Commissioner Byrum, Dr. Straw advised the disease is pervasive in the soil for up to five-six weeks; sunshine and bleach can provide dissipation of the virus in those instances.

**Mr. Sam Hines, Executive Vice President, Michigan Pork Producers Association**, presented an overview of Michigan's pork industry and its economic impact on the state. According to the most recent agriculture statistics available, the on December 1, 2006, there were approximately one million head of swine in Michigan. Generally, output is about twice that number and the industry has produced approximately two million hogs annually. Michigan is ranked 13<sup>th</sup> in the nation, being a very significant state in terms of pork production. Cash receipts vary between \$200 and \$250 million each year. When all ancillary items in the swine industry are considered, the pork industry represents a \$500 million industry in terms of total economic activity.

Michigan Pork Producers first began discussions with USDA about the possibility of a pseudorabies eradication program in 1975, when producers were facing considerable losses. In 1989, the first joint state, federal, and industry effort was initiated as the National Pseudorabies Eradication Program, with pseudorabies being eradicated in Michigan in 2000. At its peak in the 1990's, pseudorabies was estimated to have cost U.S. producers \$30 million annually and additional costs for sub-clinical respiratory and reproductive problems caused by the pseudorabies virus were impossible to measure, but were estimated to be significant.

From an industry perspective, it is critical that Michigan maintain pseudorabies free status. This is important for two key reasons. First, the majority of animals are sent out of state for finishing; and if no longer able to do that, it would be devastating to the industry. Secondly, in 2007, pork exports represented two trillion pounds; one in five hogs are now being exported. If we were closed from the trade channels, there is no way that 20% of our production could be absorbed domestically without a tremendous economic impact. And although pseudorabies is not a public health issue, some countries, such as Canada a few years ago, will ban imports from a country that is pseudorabies positive.

The Michigan Pork Producers Association encourages the department to use all the authority it has to move quickly to eliminate the pseudorabies virus from Michigan.

In response to inquiry from Commissioner Coe, Dr. Steve Halstead confirmed pseudorabies is present in other states in the feral swine populations; it is eliminated in the commercial operations and has not been found in hunting operations in other states.

Dr. Halstead responded to an inquiry from Commissioner Coe, noting most other states have very little in the way of regulation of hunting operations.

Commissioner Byrum clarified that feral swine are the problem. Sport swine are a different issue and we need to be certain to separate those two issues. Feral, by definition, are not confined within an operation, they are in a free-ranging population.

In response to question by Commissioner Byrum, Mr. Hines reported during the eradication program, the Michigan Pork Producers Association asked the Pseudorabies Advisory Committee at that time to move toward requiring test or terminal exhibitions and they do support that position. He confirmed the association supports what the department is doing in that regard.

Commissioner Norton asked what has happened relative to movement requirements since the eradication program. Mr. Hines reported once the disease was eradicated, hogs could move without the encumbrance of testing; that has been an advantage experienced since that time. Commissioner Norton noted it has been stated the reason we don't regulate is because the disease has been eradicated; but, because of the current situation, we have regulations pending.

**Mr. Bob Dykhuis, owner, Dykhuis Farms, Inc.**, reviewed the history of pseudorabies in Michigan and the regulations implemented to help control the disease. He joined the Board of the Michigan Pork Producers in 1986 and has been raising hogs since 1978. In 1981, his herd was infected with the disease which swept through the area at one time. It was considered to be a "legislative disease" because it limited producers in the following ways: no sale of breeding stock; stringent testing requirements; movement restrictions; and a vaccine that could be given to the sows, allowing the baby pigs to survive. The industry in late 80's decided this was a disease that could be eliminated.

In 1986, the Michigan Pork Producers Association was asked by the acting State Veterinarian to become involved in developing a Pseudorabies Advisory Committee, which Mr. Dykhuis chaired for ten years. He was also involved at the

national level and currently serves on the National Pork Producers Board. The Pseudorabies Advisory Committee consisted of veterinarians, USDA, MDA, laboratory specialists, producers, and MSU Extension – a group qualified to give advice on how to make this work in Michigan. A national program was devised which included testing, vaccination, separation, controlled movement, working with immunity, and specific clean-up plans. Herd by herd, through a network of state and local veterinarians and the Pseudorabies Advisory Committee, they progressed to eventually eradicate the pseudorabies virus from Michigan.

This all was part of a national program that controlled movement, state lines and split state lines were integral in achieving status. In the end, there remained surveillance which involved a program of testing. Level of surveillance varies by status. Once pseudorabies free, we enjoyed the lowest level of surveillance requirements, with no testing of fair pigs. There always is surveillance testing being conducted, which sometimes results in false positives, at which time MDA veterinarians conduct a statistical sampling. Although those false positive have always proven to be negative, there is considerable follow-up required to maintain our pseudorabies free status.

Working through the clean-up plan, just how much pseudorabies was affecting performance was discovered – it was a very costly disease. Because of the sub-clinical pneumonias and immunosuppression, it affected more than the baby pigs.

Because producers began to think more about management, bio-security, movement, etc., the eradication program helped producers considerably in improving the health of their herds. The pork producers joined together in the effort and were successful. He stressed the importance of not losing the benefits gained by that tremendous effort, but do everything we can to quickly control the situation and maintain our pseudorabies free status in Michigan. It is still a “legislative disease” and the producers are very concerned about the pace Michigan is working on this problem. Michigan needs to move hogs to other states for processing and packing; a destination for the breeding stock grown in Michigan needs a destination beyond its borders; and if we had to hold pigs, we would not have the space. This situation is critical – we must move beyond it quickly. Area spread can be huge; we still see area spread with other viruses, even with the current level of bio-security, things still move. A very small incidence of the virus in a hog dense area could be devastating and needs to be taken very seriously.

Mr. Dykhuis, in answer to question from Commissioner Byrum, reported they produce approximately 8,000 hogs a week from their operation and move roughly two-thirds of those animals out of state for finishing.

Commissioner Coe stated clearly it is an economic and animal health issue; we have a history of successfully eradicating pseudorabies in this state; the elements for that were testing, vaccination, separation, controlling movement, surveillance, and trace-back, with a national cost of over \$30M (according to the Michigan Pork Producers); and if we instituted that same system, he asked what it would now cost the industry for such a program. Mr. Dykhuis advised until circle testing is completed, we will not know the scope of the situation, and no estimate of costs can be made at this point.

Commissioner Norton noted that slaughter surveillance continues in the industry and we remain pseudorabies negative at this point, because the virus has been found only in transitional herds. We need to speak to definitions.

Dr. Halstead advised transitional swine are those hogs that are, or have a potential to be, in contact with feral swine. Commercial hogs being transported from a Michigan producer to another state for finishing are not transitional swine, unless they have been in contact with feral swine. A fair pig could be either, depending upon its potential to be in contact with feral swine. Commissioner Byrum noted that livestock at a fair are exposed to many more risks and have much lower bio-security than highly controlled commercial hogs. It basically is a risk assessment that needs to be considered.

**Ms. Kristine Brown, Michigan Department of Natural Resources**, provided a history of feral swine in Michigan. Her initial slide showed a herd of feral swine running through the yard of a home in Oakland County in 2005. Research indicated a transitional facility nearby released pigs during that same time period. Even though it was winter, the young pigs with the group were surviving, which was contrary to previous belief that feral pigs could not survive winter in Michigan.

In 2002, the Point Abbaye escape in Baraga County caused much confusion on how to handle this "livestock-at-large" problem and State officials advised citizens to handle hog removal at a local level. The animals were killed and no sightings have been reported since.

In 2004, an intentional release of an unknown number of wild boar resulted from vandalism of a game ranch. The Departments of Natural Resources (MDNR) and Agriculture (MDA) and the Wildlife Services of USDA worked cooperatively to evaluate the situation. Local hunters were asked to help control the problem. Feral pigs from this occurrence that were not recovered have since dispersed to three additional counties.

Throughout 2002-2006 feral swine sightings were reported in 23 counties. MDA, MDNR, and USDA met in October of 2006 to discuss the issues and in

November 2006, contacted county prosecutors and exotic swine owners in 31 counties with approval to shoot feral swine. As of November 2006, 31 counties reported to have feral swine.

With MDA as the lead agency, in November 2006, the Feral Swine Working group was formed to address the feral swine issue and was comprised of MDA, MDNR, USDA Wildlife Services, USDA Veterinary Services, Michigan Pork Producers, Michigan United Conservation Clubs, Michigan Deer and Elk Association, Michigan Farm Bureau, and Michigan State University Extension. They defined feral swine as any pig free-ranging outside an enclosure. They then began to address the various issues: "Livestock-at-Large" law, Act 328 of 1976; Dangerous Animals Act, Act 426 of 1988; Pseudorabies and Swine Brucellosis Control and Eradication Act, Act 239 of 1992; and Animal Industry Act, Act 466 of 1988. The working group provided resolutions to the Joint Agriculture and Natural Resource Commission meeting which were approved in April 2007: ban all recreational shooting behind fences; depopulate existing animals from ranches; prohibit/depopulate breeding facilities; prohibit sale/transfer of exotic swine; allow year-round shooting of feral swine; increase fines related to importation/release; and use federal funds to trap, test, remove feral swine.

In response to question from Commissioner Byrum, Ms. Brown reported the captive samples are to be returned to MDA via a licensed veterinarian or an MDA veterinarian.

Ms. Brown reviewed the various actions implemented by the working group, including trapping, standardization and distribution of blood test kits, hog removal, education, and outreach. In response to question from Commissioner Jousma-Miller, Mr. Brown confirmed there is no way to know from where the animals originate. She also advised, in response to inquiry from Commissioner Coe, the working group did not include any members from the boar hunting ranches.

She next reviewed the current situation, noting eleven counties have reported agriculture and habitat damage by the feral swine population, such as loss of corn plantings, for which there is no compensation. To date, there are 63 counties with verified kills or sightings of feral swine, with groups of pigs numbering up to 24. 153 pigs have been reported killed to date, with anticipation there actually are more. In response to question from Commissioner Jousma-Miller, Ms. Brown reported that testing is voluntary; hunters are asked for submissions where timing is possible. They are doing everything they can to make it as easy as possible for hunters to provide a sample.

She reviewed a map indicating the various counties with sightings or kills, and the areas of highest concentration. Some of the large clusters are relatively close to facilities that host swine hunts. Even though some of these facilities have very high fences, anyone can verify that pigs are very hard on fences. In response to question by Commissioner Jousma-Miller, if a facility is under the requirements of a Cervid-A license, Ms. Brown confirmed those fences are inspected; however, while very good at confining deer and elk, if not trenched under or set in concrete, those fences may not necessarily keep in the pigs. Commissioner Jousma-Miller advised that while accompanying the audits in the U.P., she did not witness any opportunities for hogs to escape from those facilities, because they brush it 30-40 feet to either side.

Ms. Brown also provided a map indicating the counties that are open for the shooting of feral swine. The map is continually updated and posted on the MDNR Web site. Counties not yet open are being pursued for that potential.

In fiscal year 2007-08, forty samples for disease sampling of hunter harvested, animal control, and road-kill swine (26 feral) were completed. These resulted in five pseudorabies positive animals that were taken after identification and within five miles of a pseudorabies positive facility.

Ms. Brown reported Wildlife Services has also produced a Disease Surveillance Procedures Manual that will be distributed to departments and posted on MDNR's Web site. It will reduce confusion, standardize sample collection, and standardize data management. This manual was also presented at the annual Feral Swine Conference in St. Louis recently; and other states are considering using the manual. This could provide for a nation-wide standardization of sampling and data collection.

She reviewed various pictures of sightings, damage, and kills that have been shared with the department. One feral swine had a tag, but it was not traceable to any facility in Michigan; it was simply indicated by a number. It could be assumed it was a pig that escaped from a facility.

Ms. Brown reviewed future actions needed, including follow-up on pending legislation, continued reporting and disease testing, continued education and outreach, and requesting information from other states. She provided details on some of these efforts.

Commissioner Coe asked if any state had been successful in eliminating feral swine. Ms. Brown indicated none to her knowledge. We have good reason to believe that if we act aggressively now, we can control the problem and mitigate the risk from feral swine, with potential of eradication. Missouri has a plan of action they are willing to share with other states. Some of those actions would



require legislative action. We need to eliminate the escapes and then go after the feral swine.

**Mr. Alex Draper**, from the **Michigan Deer and Elk Farmers Association**, shared a prepared statement from the association, highlighting the following:

The Michigan Deer and Elk Farmers Association (MDEFA) does not support the complete shut down of the hunting of wild boar within their facilities. MDEFA does support having regulations and animal health programs that will allow producers who follow the regulations to continue to raise and hunt hogs. The issue is not a hunting issue; it is the poor husbandry of raising and controlling the hogs. We need to regulate, not eliminate.

He stated that over the last year, progress toward controlling the one outbreak has been very slow. However, with the resources available to the agencies, he realizes it is difficult to do what is needed.

Mr. Draper shared the recommendations from MDEFA: to allow current producers to continue operation of their facilities; continue current testing and evaluate the state of each facility; proper importation and movement health papers; proper husbandry of their hogs, testing protocol, feeding, and knowing what pseudorabies is; and proper facilities to hold the hogs within their confinement.

MDEFA has also asked agencies to look at the small operations around the state that raise hogs in their back yard; because, with the increase in organic pig operations, the health risk could be higher than in hunting hogs.

In addition, MDEFA is organizing a working group within their organization to develop recommendations and suggestions toward the future of hunting hogs and confirmed that group will include hunting operation producers.

**Dr. Reed McCarty, U.S. Department of Agriculture Area Veterinarian in Charge for Michigan**, has been working closely with Dr. Halstead's staff in managing the disease control and eradication programs throughout the state of Michigan. Dr. Dan Harpster, USDA Area Emergency Management Coordinator and co-incident commander for the current pseudorabies outbreak (along with Dr. Nancy Frank) joined Dr. McCarty for today's presentation.

Dr. McCarty explained the indemnity process, noting that USDA is bound by regulations, memorandums, directives, and protocols that dictate how they may proceed. Any facility with over nine animals requires a certified appraiser, which is predicated on commercial or breeding type animals; this is the only measure on which USDA currently has authority to appraise. Once a formal appraisal

assessment and report is received, an indemnity figure is calculated. Details of the proposed indemnity must be approved by the regional office who grants authority to the Michigan office for release of federal funds. A formal proposal is then sent to the producer, to which they can either agree or not. If they agree to that appraisal, paperwork is completed which provides the binding document giving USDA the authority to issue the producer a check. That entire process transpires in two-three weeks, but there can be variables.

In response to question by Commissioner Byrum, Dr. McCarty confirmed USDA can not provide indemnification for dead animals (should depopulation occur first), nor for feral swine. Herds must be handled in their entirety, making the appraisal, identifying the animals, most effectively euthanizing the animals, and providing disposal/burial arrangements. He also confirmed even when there is a threat of disease spread in the wild or to commercial populations, there currently is no opportunity to allow for depopulation before the indemnification process is complete. Previous situations that allowed for expediting the appraisal process involved multiple states and a true national emergency situation.

He reported the appraiser is currently working with local markets, which is approximately \$.54-.59 per pound for swine. USDA is offering the higher of those amounts to indemnify the hunting ranch currently found to be pseudorabies positive. This is the maximum amount USDA can offer for the indemnity in these situations. If depopulation occurs before indemnification, USDA would not be able to provide funding and added that federal indemnity dollars come from a limited fund. He noted the State could also seek funding through its own legislative processes for indemnification.

Commissioner Coe asked if there are similarities to the Bovine TB situation relative to indemnification. Dr. McCarty advised the same protocols are followed. He has been advised there is no way to cut corners relative to the pseudorabies issue; that could happen only if there were a national emergency declared for the State of Michigan.

Commissioner Norton noted the biggest issue the commercial hog industry has, is the fact there are sport swine with a disease that threatens the industry and those animals still exist. Dr. McCarty advised they are moving the process along as quickly as possible within the guidelines afforded to them.

In response to Commissioner Byrum's question, Commissioner Norton confirmed the first pseudorabies positive animal was identified on May 6, 2008. Dr. McCarty reported the facility owner advised on June 6, 2008, that he did not plan to accept the proposal. If not accepted, the situation returns to the State for coordination of the dispute process.

Commissioner Coe noted that simply because one person doesn't agree to price, we are precluded at federal level and remain at considerable risk. Director Koivisto advised MDA will not allow one person to dictate progress in this situation. Dr. McCarty acknowledged we are dealing with a great disparity in the type of operations and the way in which we are allowed to indemnify the animals. He reiterated a potential exists for obtaining federal funds and subsequently obtaining state funds; however the depopulation could still not occur until after the USDA proposal was accepted.

Commissioner Byrum asked how USDA would handle an outbreak of Foot and Mouth Disease. Dr. McCarty advised it is a very different disease process; it would be much broader in scope. Dr. Harpster advised it would indeed be of international significance, and the national emergency response and funding would be very different. The appraisal process would be followed, but the time frame would be shorter because of the emergency status.

Commissioner Coe stated this appears to apply only in animal husbandry, if he had a situation where the federal government advised there is something wrong with this wine, there is no appraisal process, he would simply have to absorb the loss. Dr. McCarty confirmed the state/federal corporate programs dictate when indemnity is available. Usually the diseases we have eradicated, or are trying to eradicate, are the programs providing indemnity.

The issues with transitional and feral swine are situations that have not presented in the past. As it was mentioned, Michigan has been pseudorabies free since 2000; and in the U.S. since 2004. A similar situation occurred with Bovine TB, we were free for a long time and no one ever thought to look in the wild deer population. And now with the feral swine issue, pseudorabies is appearing in the feral swine population.

Commissioner Byrum questioned if USDA has approved an appraised rate for that particular herd, could we depopulate and USDA contribute the appraised amount to that particular herd; and could we also assume it would take considerably less time to complete the indemnity process for subsequent herds. Dr. McCarty confirmed the issue of resolution does remain. If the owner accepted the USDA proposal, the herd could then be depopulated and MDA could simultaneously seek additional funds from the State, although that process must also follow federal guidelines. And, given the information now available, he felt that indemnification of subsequent herds should move along more quickly. He reported that at this point, all four of the infected herds have been appraised.

Director Koivistor expressed his appreciation to the USDA for their continual cooperation and assistance in working toward solutions to the disease situations in Michigan.

**Dr. Steve Halstead, State Veterinarian, and Dr. Nancy Frank, Assistant State Veterinarian.** Dr. Frank provided an update of the pseudorabies situation in Michigan, where we are with the incident, what is being done, and what we need to do next. She noted this is very much a multi-agency and very intensive effort. The Feral Swine Working Group has been expanded to include a game ranch owner and representation from other cervid organizations in Michigan and the Swine Health Committee is providing input from the swine industry. There currently are four positive facilities related to this incident, all of which are game ranch operations and involve transitional swine. Five positive feral swine have been taken in near proximity of the positive facilities. The four facilities are under quarantine. Five-mile circle surveillance testing around each of the facilities is being completed and trace investigations continue. To date, forty-one swine herds have been tested, all being negative, and there are ninety-nine known herds remaining to be tested.

As positive swine are identified, they are being blood tested at MDA's Geagley Lab and tissue sample tested at MSU, with the hope of identifying the specific strain of the disease. This identification will assist in determining the origin of the virus and what might have happened to allow for this infection.

Depopulations are being planned at the four positive facilities and progress is being made for complete hog removal on a fifth facility. That facility is in Roscommon County where, over a year ago, two pigs were identified with antibodies to the disease with no evidence of active infection. The owner has implemented his own eradication program; working closely with Wildlife Services he has initiated his own depopulation strategy. MDA will also be assisting in that effort.

Ongoing education and outreach efforts continue. The department has been working on legislation to support the Commission's directives to the department last April. Three significant regulatory actions have been taken: on May 6, 2008, the importation of swine intended for hunting was banned; on May 23, 2008, required all fairs and exhibitions test the swine or the fair be terminal; and quarantine and test requirements on all known game ranches with swine statewide have been initiated.

The challenge is testing on the game ranch facilities, in most instances; they have large tracks of land on which the animals are running at large. A representative sample is taken and official samples are being required. A facility could hire their own veterinarian to be present at the time a hunt is conducted to have that accredited veterinarian collect the blood, maintain custody of that sample, and submit it to the MDA Geagley Lab. Once a facility reaches their

required number of samples and all have tested negative, the quarantine will be lifted.

Dr. Frank confirmed our commercial swine industry is not impacted by the disease to date and we maintain our stage five free status. It is also important to note there is an interconnection, especially between the feral swine and the transitional swine, and one of the reasons the Feral Swine Working Group was initiated was to monitor the status of feral swine, both in numbers and in disease status. Now that pseudorabies has been identified in that population, we must be very aggressive to address the issue.

In response to question from Commissioner Byrum, Dr. Frank advised the counties in which the infected facilities are located are one in Saginaw County, two in Gladwin County, and one in Cheboygan County, and the fifth one in Roscommon County.

Dr. Halstead identified three distinct areas of the situation, the pseudorabies situation, the shooting of swine situation, and the feral swine situation. The successful eradication of pseudorabies in Michigan was possible because of support from the industry, state and federal governments, and international agencies, and because in Michigan at that time, we did not have a feral swine population to the extent that it exists today and thus, did not have a wildlife reservoir for the disease. We do not want to chance spread of this disease to the commercial population; because of the wild population, the risk is greater today; and this has driven the regulatory actions taken to date. There also is concern that processed pork can harbor the disease, which could be a source of virus to other animals. This is why a trading partner may not want to move processed pork, as well as live animals, in order to protect their business investment.

Relative to the restrictions on exhibitions and fairs, it is very important that we control the movement of the pigs and a safety net is in place to prevent the mixing pigs and subsequent movement back into premises with breeding stock, which could be very devastating. This is the reason for moving back to the restrictions on fairs and exhibitions that were in place during the pseudorabies eradication. It does require additional cost and is an inconvenience to exhibitors, but this strategy is necessary as we move to aggressively deal with the pseudorabies situation. In response to inquiry from Commissioner Byrum, Dr. Hasteed advised if a sow tested negative prior to going to a "Miracle of Life" exhibit and if all other animals at that fair also tested negative, the sow's litter could be moved back to their facility. The fair makes the decision to either require all animals to be tested, or all animals to be terminal.

The Commission's support is needed in all of the aggressive actions being implemented, as described by Dr. Frank. Other states are watching us very

closely on this situation, especially in regard to commuter herds – herds that raise pigs in Michigan and have part of their operations in other states. So far, since we have not detected pseudorabies in commercial herds, other states are comfortable with the pseudorabies free status we have. Under national standards, however, if we find it in a commercial operation, we will lose that status if we can't demonstrate within 15 days that we do not have infection in other areas; and status could also change depending upon the number of herds we were to find, or the number of pigs we were to find, as well as the connections those animals have. As of a week ago, neighboring state veterinarians are comfortable with where we are and we are providing frequent updates to keep them apprised of the status. In response to inquiry from Commissioner Norton, Dr. Halstead confirmed other states are clear on the definition of transitional pigs; all states are operating under the same guidelines and expectations.

Dr. Halstead confirmed the Director does have the authority to allow the use of pseudorabies vaccine. However, at this point, none exists; there are no manufacturers and no stock piles. Use of vaccine at this point is not an option. The steps we are taking with the quarantines and the push to depopulate as soon as possible are the most important things we can and should be doing. In response to questions from the Commission and Director, Dr. Halstead and Dr. Straw advised the vaccine is not being produced because there is no market for it, manufacturers would have to shut down another vaccine to generate production, and it would be very difficult to convince any manufacturer to produce the vaccine for us at this point in time.

Relative to the other provisions discussed today, Dr. Halstead noted a hunting preserve with only pigs is not a regulated facility by the Department of Agriculture. We do know those animals present a significant escape risk and we know from our investigations of the four positive operations the disease is present. In addition to the disease risk, there are environmental risks as well. These animals can do considerable damage through rooting, as evidenced by Ms. Brown's presentation, and will displace native species and cause water quality degradation as well. Quarantines on the hunting preserves were appropriate. We strongly stand by the recommendation given at the Joint Natural Resources and Agriculture Commissions meeting in April 2007 about moving ahead with a total ban on these pigs inside fences for hunting or for breeding for hunting in the State of Michigan. We do acknowledge that under Public Act 466, the Animal Industry Act, the indemnity sections of that law do call for indemnity to be calculated on the intended use of those animals. In consideration of the investment in these animals, if the value is greater than what USDA indemnity will cover, then it is appropriate to seek additional funding to cover that difference.

Specifically to the feral swine issue, these pigs do not belong in Michigan, are not native to Michigan, are destructive in the environment, and we need to work aggressively with all resources available to remove them from those wild places. The joint resolution passed by the Commissions in April 2007 speaks to that issue. We have seen in the last 20 years, a significant expansion in the range of these animals. We are at a point when we have a reasonable chance to eliminate these pigs from Michigan and we should work toward that; we do not need another wild species that is a disease reservoir and it should be noted these animals can also contract Bovine TB.

Commissioner Norton noted there are questions and concerns relative to the length of time it has taken to get legislation in place after having the resolutions passed by both Commissions in April 2007; understandably, it is a complicated process, but do we need to push harder with that process. Dr. Frank advised, since the Feral Swine Working Group has been working on this issue, the first piece of legislation would allow killing of any pig outside of its fence and is currently at the Legislative Services Bureau (LSB) to be drafted. The other piece of legislation considered would ban the shooting of swine in confinement and is also at LSB for consideration. Dr. Halstead noted, in follow-up to last week's visit to the House Agriculture Committee, there was great interest in sponsoring any legislation. The Senate Agriculture Committee is also being approached and we have received positive communication. The department has also been in communication with the State Budget Office relative to funding required for the pseudorabies effort. In response to question by Commissioner Norton, Mr. Wenk, Acting Chief Deputy Director, advised the department is seeking \$665,000 for an FY 08 supplemental; and, depending on future legislation, we are estimating an approximate \$4M cost for FY 09. If we move to another type of regulatory strategy, approximately \$1M per year would be required to operate that program.

Commissioner Regis asked if other states have programs after which we can model. Dr. Frank advised, although feral swine has never been eradicated in another state, the Feral Swine Working Group is reviewing regulations and programs from other states. All informational resources are being considered to assist in our efforts.

Commissioner Coe, asked if it would be possible to implement a feral swine extermination program, and subsequently designate all game ranches and transitional hog operations be quarantine operations. Dr. Halstead confirmed that a regulatory system to allow the transitional operations to remain in their current business could potentially be operated for approximately \$1M annually.

Commissioner Byrum summarized the issues currently before the Commission: fairs and exhibitions; Swine Health Committee; depopulation of positive herds;

ban on import of animals for hunting; quarantine currently in place; elimination of sporting hog operations, or standards and regulations implemented to allow those operations to continue; legislation and legislative needs; and repopulation of depopulated facilities. These will be discussed as we move forward this afternoon.

Commissioner Jousma-Miller noted that Commissioner Norton stated it has become obvious there is movement taking place without proper testing and health certificates which is putting the whole industry at risk, and the question of good animal husbandry and following the law remains. Commissioner Byrum advised this applies to the out of state issue and will be included with that discussion.

### **ADJOURNMENT FOR BREAK**

Chairperson Byrum adjourned the meeting at 12:30 p.m., announcing the meeting would be reconvened in 15 minutes.

### **MEETING RECONVENED**

Chairperson Byrum reconvened the meeting at 12:47 p.m.

### **PUBLIC COMMENT**

**Dr. Steve Schmitt, Veterinarian in Charge, Michigan Department of Natural Resources**, explained the difficulties over the last few years in managing the hunting situation amidst the Bovine TB problem. The hunters like their white-tailed deer and want the population protected. Even with unlimited permits in the Bovine TB prevalent areas, it will only bring the deer levels down to a certain level. He expressed similar concerns with the feral swine. Currently, our hunters do not have a tradition developed for pig hunting, but that could change very quickly. The longer those pigs are outside of the fence, the more the potential exists for hunting, with the eventual desire by the hunters to protect the animals. We have a narrow window of opportunity to eradicate feral swine in Michigan. If we can stop the flow of pigs escaping the fences, the population is currently small enough to allow for the opportunity to implement aggressive strategies and to eradicate feral swine from Michigan.

### **CONSIDERATION OF ISSUES**

Chairman Byrum asked Mr. Gordon Wenk and Dr. Steve Halstead to be seated at the Speakers' Table and available for questions and comments as consideration of the issues transpires.

### **Fairs and Exhibitions**

Relative to the fair and exhibitions issue, Mr. Wenk reported an order is currently in place that requires a fair either be terminal, or that all swine coming to the fair be tested. It requires one or the other, there cannot be a mix of both.



**MOTION: COMMISSIONER COE MOVED THE COMMISSION OF AGRICULTURE SUPPORT THE DEPARTMENT'S ACTION TO PREVENT PSEUDORABIES VIRUS TRANSMISSION BY MANDATING ALL FAIRS AND EXHIBITIONS REQUIRE EITHER ALL SWINE GO TO SLAUGHTER, OR ALL SWINE BE TESTED PRIOR TO THE EVENT AS A SENSIBLE PRECAUTION TO THE INCIDENCE OF PSEUDORABIES IN THE STATE OF MICHIGAN. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

Commissioner Norton noted Mr. E.J. Brown reported 80% of the fairs are terminal already. Dr. Halstead advised the department is working through the policy with the various fairs.

Commissioner Byrum recognized the hardship this requirement causes, especially for the educational opportunities that have been offered at the fairs; however, it is necessary to assist in the eradication efforts. Commissioner Norton noted it will also serve as a good surveillance tool, with many more animals being tested.

#### **Quarantine**

The current order of quarantine of gaming ranches was discussed. Mr. Wenk reported a notice was sent to all known cervid operations within the state advising if they have swine, those animals would be placed under quarantine. Those facilities known to have swine were immediately placed under quarantine, which restricted all movement of swine on and off that facility.

Commissioner Byrum noted that release of the order would be possible if all animals tested negative. He also expressed concern regarding the number of facilities of which we are not aware. Mr. Wenk acknowledged the department is not aware of most of those facilities having only swine. If they self report, we can then quarantine. Otherwise, only through surveillance can those other facilities be identified. Mr. Wenk advised the Director has the authority to require cervid facilities to report if they also have swine. Dr. Halstead advised, under Act 466, for reason of disease concerns, the Director may require all facilities report to the department.

Commissioner Coe stated, given the risk to the commercial swine industry, it would appear to be very prudent that we require all farm operations, transitional or commercial, that have hogs to register with the department. Dr. Halstead noted during the pseudorabies eradication era, all swine operations were required to register. This could be a temporary registration required only during the period of time pseudorabies is identified in Michigan.

Commissioner Norton advised the Michigan Pork Producers Association supports premise ID, which provides a better track record of the animals.

Dr. Halstead confirmed the Director has authority to require the premise ID of all swine operations. Director Koivisto advised the department would implement such a requirement as recommended by consensus of the Commission.

### **Advisory Committees**

Commissioner Norton recommended the Commission move to reestablish the Pseudorabies and Swine Technical Committees under the name of the Swine Health Committee, as this would allow the committee to be broader in perspective. Mr. Wenk advised, in 2007, an Executive Order was drafted to abolish the Pseudorabies Advisory Committee; however, because the order was never implemented, the committee continued to exist, subsequently being transferred to the Swine Health Committee.

Mr. Wenk confirmed the committee could be named the Swine Health Committee and still maintain support and involvement by USDA. The Swine Technical Committee would not be part of the Swine Health Committee, but rather a subset of the committee.

**MOTION: COMMISSIONER NORTON MOVED THAT UNDER DIRECTION AND GUIDANCE OF THE DEPARTMENT DIRECTOR, THE PSEUDORABIES ADVISORY COMMITTEE BE REESTABLISHED UNDER THE NAME OF THE SWINE HEALTH COMMITTEE. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

### **Repopulation of Depopulated Facilities**

Commissioner Byrum strongly urged that repopulation standards and protocol be established to avoid infection of newly introduced animals through disease prevalent in the soil.

Dr. Halstead advised this is a function of the Swine Technical Committee, and they could recommend most effective repopulation plans.

**MOTION: COMMISSIONER COE MOVED THAT UNDER DIRECTION AND GUIDANCE OF THE SWINE TECHNICAL COMMITTEE, STANDARDS AND PROTOCOL BE DEVELOPED FOR REPOPULATION OF DEPOPULATED SWINE FACILITIES. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.**

### **Depopulation**

Commissioner Byrum noted a problem exists with infected facilities not yet being depopulated. Director Koivisto confirmed the department is working in

conjunction with USDA to move as quickly as possible on this issue and advised supplemental funding beyond what USDA is able to offer will be pursued. However, if not within reason, the department will depopulate and litigate, allowing judges to determine a fair indemnification amount. The entire indemnification process will require additional funding. The Director asked for the Commission's support in these efforts.

Commissioner Byrum confirmed the Commission supports expeditious depopulation, with the condition we have USDA participation. Dr. McCarty confirmed that, although the appraisal is completed and USDA authorities have approved the dollar amount allocation, the owner signature must be obtained and joint agreement on depopulation methods must be established before depopulation. If the owner does not agree to the offer, it is returned to the state, or it can be thrown into a time-consuming negotiation process with USDA.

Commissioner Coe noted if the owner does not agree to the proposal, or the owner disposes of that herd before the agreement has been signed and protocol is in place, USDA will not release the indemnity funds.

Various issues surrounding depopulation and indemnification were discussed.

Director Koivisto noted if any illegal activity on the part of the operator is discovered, payment would either be terminated or restricted to that owner.

Mr. Wenk reported communications are in progress with the State Budget Office alerting them to this issue and that supplemental funds will be required.

**MOTION: COMMISSIONER COE MOVED THE COMMISSION REQUIRE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO MOVE IN A TIMELY MANNER TO DEPOPULATE SWINE HERDS WHERE PSEUDORABIES HAS BEEN IDENTIFIED MAKING BEST EFFORT TO UTILIZE THE RESOURCES OF THE USDA AND OF THE STATE TO FAIRLY COMPENSATE THE OWNER OF EACH HERD. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

Commissioner Jousma-Miller requested continual updates relative to progress of the depopulation efforts be provided to the Commission.

### **Sporting Swine Facilities**

Commissioner Byrum acknowledged the problem surrounding sporting swine facilities in the state, as previous discussed. Whether there is action to eliminate them or not, standards and protocol should be established as soon as possible. Director Koivisto and Mr. Wenk confirmed legislation would be required granting

MDA and MNDR the authority to identify standards required for these types of facilities.

Commissioner Byrum noted the existing operators need to be working with the Legislature with those standards as the objective. Otherwise, those wanting to be out of business have the option of elimination with no more sporting swine in the state. It remains totally a legislative issue. The legislation currently in process moves on the Commission's resolution of April 2007 to ban all recreational shooting of swine behind fences and to allow year-round shooting of feral swine.

In light of additional information, Commissioner Coe suggested the Commission revisit the April 2007 resolution. He suggested the department devise acceptable regulatory conditions that would allow game ranches to continue on-premise hunting of swine, with regulatory cost to be born by the operator.

Commissioner Byrum inquired if there then is a desire by the Commission to reconsider the April 2007 Resolution to Prevent the Establishment of Feral Swine in Michigan.

**MOTION: COMMISSIONER COE MOVED THE COMMISSION RECONSIDER THE VOTE BY WHICH THE RESOLUTION TO PREVENT THE ESTABLISHMENT OF FERAL SWINE IN MICHIGAN WAS PASSED BY THE COMMISSION ON APRIL 12, 2007. SECONDED BY COMMISSIONER JOUSMA-MILLER.**

In response to question by Commissioner Regis, Dr. Frank confirmed no formal legislation has been moved, the pieces of legislation are currently in draft stages only and have not yet been sponsored. Commissioner Regis cautioned the Commission, advising there are several opportunities for things to be changed, for additions, for exceptions, and an opportunity for the people of the game hunting industry to immediately have contact with the Legislature.

Commissioner Coe felt the department is bound by the standing resolution and felt the legislative process should be more open. Commissioner Norton advised he would prefer to consider the standards and regulations before he could consider rescinding the previous resolution.

**COMMISSION ASSISTANT CHERI AYERS CONDUCTED A ROLL-CALL VOTE. COMMISSIONER REGIS, NO; COMMISSIONER NORTON, NO; COMMISSIONER BYRUM, NO; COMMISSIONER JOUSMA-MILLER, YES; AND COMMISSIONER COE, YES. MOTION TO RECONSIDER THE VOTE RELATIVE TO APRIL 12, 2007 RESOLUTION FAILED.**

### **Legislation and Regulation**

Director Koivisto advised the department initially must deal with the current emergencies. Once legislation is passed, it will provide the vehicles needed to move forward with necessary actions. Because of the variance in quality of gaming facilities, stringent regulations would be needed to protect Michigan. In the meantime, facilities should be conducting self-monitoring to eliminate the problems. The regulatory initiatives currently in place are addressing our current emergency situation relative to the pseudorabies virus.

In conjunction with USDA, legislative needs will be identified as the situation progresses. Mr. Wenk confirmed additional legislative action will be needed toward the elimination of feral swine. As we learn more from other states, it will inform us as to what legislation may be required.

Commissioner Byrum requested Mr. Wenk to present at a future meeting any additional legislation required to address issues with sport swine and feral swine. Director Koivisto confirmed this would be a good next step.

Commissioner Coe pointed out that on the upholding of the April 2007 Resolution, the Commission has recommended the department ban all recreational shooting of swine behind fences; to depopulate swine from all Michigan Privately Owned Cervid ranches, game ranches, wild game breeding facilities, and other enclosed hunting ranches; prohibit husbandry practices that involve raising swine for recreational shooting for sale or transfer; and prohibit the sale, importation, or transfer of swine for the purpose of recreational shooting.

Director Koivisto advised the department will be also developing alternate plans as legislation develops.

Commissioner Regis encouraged the department to continue conversation with and participation by the owners of hunting ranches relative to the issues as progress continues on legislation. Commissioner Byrum also confirmed this issue is in the hands of the Legislature.

### **PUBLIC COMMENT**

**Greg Johnson, of Bear Mountain LLC, in Negaunee, Michigan,** expressed concern that the Commission appears not willing to work with those operators who can run their facilities properly. He advised he has been to the table, written letters, and his facilities have been inspected and rated a first-class operation by the Department of Agriculture. He stated his containment system is excellent; his chain of custodies and manifests are proper; he is testing for diseases; and he is a verified pseudorabies free operation, as confirmed by an MDA veterinarian. He

hopes everyone could work together to develop a solution to eradicate feral swine and bridge the relationship to allow for continuation of properly run operations – for the producers and for those who choose to estate hunt. He hopes the Commission would continue to receive additional information and to consider working with them in changing their recommendation of legislation mandating a total ban, and to reach a solution that would allow the hunting ranch business to continue in Michigan.

## **ADJOURN**

**MOTION: COMMISSIONER JOUSMA-MILLER MOVED TO ADJOURN THE MEETING. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

The meeting was adjourned at 1:40 p.m.

### Attachments:

- A) *Agenda*
- B) *Public Comment – Statement by Michigan Pork Producers Association Regarding Pseudorabies and the Feral Swine Issue by Dave Cheney, President, Michigan Pork Producers Association*
- C) *Public Comment - Letter and packet of supporting information from Gregory A. Johnson, Bear Mountain LLC*
- D) *“Pseudorabies – Overview of the Disease” power point presentation by Barbara Straw, DVM, PhD.*
- E) *“The Michigan Pork Industry and Pseudorabies” power point presentation by Sam Hines, Executive Vice President, Michigan Pork Producers Association*
- F) *Letter from Alex Draper, Michigan Deer and Elk Farmers Association*
- G) *“Feral Swine in Michigan” power point presentation by K. A. Brown, Michigan Department of Natural Resources*
- H) *Feral Swine Update 06/09/08 – Feral Swine Reported or Taken by County, Michigan Department of Natural Resources*
- I) *Pseudorabies Update – Pseudorabies Eradication Program, Animal Industry Division, Michigan Department of Agriculture*
- J) *“Update – Pseudorabies in Transitional and Feral Swine” power point presentation by Dr. Steven Halstead, State Veterinarian*
- K) *Michigan Department of Agriculture Pseudorabies Spending Plan June 3, 2008*
- L) *Resolution to Prevent the Establishment of Feral Swine in Michigan, April 12, 2007*