

FORM 10

SD ANIMAL INDUSTRY BOARD  
MINUTES OF RULES HEARING  
TUESDAY JULY 11, 2023

DISEASE CONTROL AND MEAT INSPECTION  
§§ 12:68:02:08, 12:68:14:01, 12:68:15:10 and 12:68:15:12

The South Dakota Animal Industry Board convened at 9:00 a.m. on Tuesday July 11, 2023, at 411 South Fort Street, Pierre, South Dakota.

The purpose of the meeting was to conduct a public hearing on the proposed rules of the board numbered 12:68:02:08, 12:68:14:01, 12:68:15:10 and 12:68:15:12.

**Board Members in Attendance:** President Bryan Nagel, Vice President Lynn Boadwine, Jeffery Gatzke, Steven Rommereim, and Dr. John Voegeli.

**Animal Industry Board Staff and others in Attendance:** AIB - Drs. Beth Thompson, Mendel Miller, Todd Tedrow, Susan Reenders, Tammy Anderson, Marc Hammrich, Adam Wiechmann, Janice Hallstrom; Terry Johnson, and Shell O'Daniel. Others present were Chelsea Wenzel/Attorney General's Office, Nathan Sanderson/SD Retailers, Sara and Shea Geelan/Dialed in Nutrition, Jasper Diegel/C-Express Store, Mary Bonen and Mya Heintzman/The Junction.

Dr Thompson, State Veterinarian and Executive Secretary read the notice of hearing as published.

ARSD 12:68:02:08 - The effect of the added rule 12:68:02:08 is appropriate protection of the confidential records held by a state agency. The reason for the addition is to comply with and expand upon statutory authority for confidentiality.

There were no proponents or opponents of the proposed rule present and no written testimony was received.

Steve Rommereim moved that the rules be adopted as amended. Dr John Voegeli seconded. A voice vote was taken. Motion passed.

ARSD 12:68:14:01, 15:68:15:10 and 12:68:15:12 - The effect of the added rule 12:68:15:12 would be sales of retail meat products would occur only when the producing retail store has full control of the sanitation, storage, and transportation until purchased by the consumer. The reason for the addition is current meat production under retail exemption does not require records to verify the product was handled, cooked, cooled, or stored appropriately. Restricting meat product sales outside the producing establishment ensures control of the product during storage until purchased by the consumer.

**Oral Testimony –**

**Proponents:** No oral testimony in favor of the proposed rules were presented.

**Opponents:** Oral testimony in opposition of the proposed rules were Jasper Diegel/C-Express Store, Shea Geelan/Dialed in Nutrition, and Mary Donen/The Junction.

**Written Testimony –**

**Proponents:** No written testimony in favor of the proposed rules were presented.

**Opponents:** Written testimony in opposition of the proposed rules were Shea & Sara Geelan/Dialed In Nutrition and Ryan Heine/Yankton County.

Lynn Boadwine moved that consideration of the rule 12:68:15:12 be tabled until a Board meeting at the end of the year to allow Animal Industry Board staff to coordinate with industry and the Department of Health to define how this rule will be implemented. Jeffery Gatzke seconded. A voice vote was taken. Motion passed.

Present Nagel then addressed 12:68:15:10. Jeffery Gatzke moved that these rules be adopted as amended. Lynn Boadwine seconded. A voice vote was taken. Motion passed.

Present Nagel then addressed 12:68:14:01. Dr John Voegeli moved that these rules be adopted as amended. Steve Rommereim seconded. A voice vote was taken. Motion passed.

**Adjournment:** 10:54 a.m.

Steve Rommereim moved to close the hearing. Jeffery Gatzke seconded. A voice vote was taken. Motion passed.

Anyone wishing copies of the minutes of board meetings, copies of the letters entered as exhibits, or notices of board meetings can call or write the South Dakota Animal Industry Board Office.

Respectfully submitted,



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Beth Thompson, JD, DVM  
State Veterinarian  
SD Animal Industry Board