



SD ANIMAL INDUSTRY BOARD

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ANIMAL INDUSTRY BOARD

MAY 15 2024

SD ANIMAL INDUSTRY BOARD MINUTES OF ANNUAL BOARD MEETING

TUESDAY APRIL 16, 2024

8:31 a.m. President Bryan Nagel called the meeting to order. Board members present were President Nagel, Vice President Lynn Boadwine, Josh Kitzan, Steve Rommereim, Kevin Larson, Jeffery Gatzke and Dr. John Voegeli. AIB staff members present were Drs. Beth Thompson, Mendel Miller, Susan Reenders, Tammy Anderson Chris Parmer, Carolyn Geis, Janice Hallstrom, Marc Hammrich, Jessica Christensen, Adam Wiechmann; Terry Johnson, Shell O'Daniel and Thad Stout. Others present were Riley Zoss/SD Beef Council, Cheyenne Tant/DANR, Chelsea Wenzel/Attorney General's Office, Bret Nance/ Attorney General's Office, David Smith/Farmer's Union, Aaron Scheibe/Attorney for Lynch Livestock, Anamarie Hermesch/Lynch Livestock, Bob Mercer/KELO, Pam Petersen/Corsica Horse Sales, Inc., Kyle Petersen/Corsica Horse Sales, Inc., Lane Lee/Corsica Horse Sales, Inc., Rowdy Benson/Lemmon Livestock Auction, LLC, Brady Ham/Lemmon Livestock Auction, LLC.

Introductions were made.

President Nagel asked if there were any additions or changes to the agenda. Dr. Thompson asked to remove 'BR and TB testing/movement from MX' from the agenda. Steve Rommereim moved to approve the agenda, including Dr. Thompson's request. Dr. John Voegeli seconded. A voice vote was taken. Motion passed.

President Nagel verified that all board members had received the minutes for the December 5, 2023, board meeting. Dr. John Voegeli moved to approve the minutes. Lynn Boadwine seconded. A voice vote was taken. Motion passed.

The attorney for Lynch Livestock, Aaron Scheibe and Anamarie Hermesch, Livestock Compliance for Lynch Livestock appeared before the Board to discuss the Notice of Self-Reported violation of SDCL 40-15A10 that had happened between the early 2000s and March of 2017. During times relevant to the Notice, Lynch employees were instructed by leadership to defraud consumers in Iowa. There's no evidence that South Dakota producers were harmed. SDAIB's Attorney Chelsea Wenzel and Dr. Thompson worked with Aaron Scheibe and Anamarie Hermesch to devise an Agreed Disposition for the Board's approval. The Agreed Disposition includes, but is not limited to, Lynch having a 15-day suspension of operations in SD per buying station. Lynch owns two buying stations in SD currently – Alexandria and Aberdeen. Lynch Livestock will also provide SDAIB with a letter of credit guaranteeing payment of up to \$100,000.00 towards any claims for the three years plus six months. Lynn Boadwine made a motion to approve the Agreed Disposition with Lynch Livestock. Steve Rommereim seconded. A voice vote was taken. Motion passed.

9:09 a.m. A public hearing was held to consider the request for an auction market license for Corsica Horse Sales, Inc., Pam and Kyle Peterson, applicants. Present for this hearing were Pam and Kyle

Petersen, and Lane Lee. The hearing is audio recorded and on file. There were no opponents or proponents present for the hearing, or written testimony. Steve Rommereim moved to issue a conditional auction agency license to Corsica Horse Sales, Inc contingent upon conditions that will include revision of application and mandatory oversight for the next three sales by a SDAIB Veterinarian. Lynn Boadwine seconded. A voice vote was taken. Motion passed. Hearing adjourned at 10:29 a.m.

10:44 a.m. A public hearing was held to consider the request for an auction market license for Lemmon Livestock Auction, LLC, Rowdy Benson and Brady Ham, applicants. Present for this hearing were Rowdy Benson and Brady Ham. The hearing is audio recorded and on file. There were no opponents or proponents present for the hearing, or written testimony. Kevin Larson moved to issue an auction agency license to Lemmon Livestock Auction, LLC. Josh Kitzan seconded. A voice vote was taken. Motion passed. Hearing adjourned at 10:59 a.m.

Dr. Reenders spoke about highly pathogenic avian influenza (HPAI). Since December 4th, there have been 3 additional turkey sites and 6 commercial pheasant sites infected with HPAI in SD. The last HPAI detection was a commercial turkey site diagnosed on March 8th. Six poultry sites remain under quarantine. HPAI has been confirmed in lactating dairy cattle in eight states, including one dairy herd in SD. The syndrome affects 10-20% of the herd and most animals recover. Much information about HPAI in cattle is lacking and under investigation. The affected dairy in SD was HPAI confirmed on April 9, 2024. The dairy milks 2700 cows. About 150 head were affected. The dairy received non-clinical cattle from an affected premises in KS. The epidemiological investigation is on-going. SDAIB will implement an import permit requirement on all breeding age dairy cattle, which will include a question on whether the animals to be imported originate from a herd that has diagnosis of highly pathogenic avian influenza.

Dr. Miller reviewed Chronic Wasting Disease (CWD). One mule deer herd remains under quarantine due to the diagnostic findings of CWD in the herd and is testing both ante-mortem and post-mortem. Positive animals continue to be found. An Aurora County whitetail herd has been depopulated and some animals which had moved from that herd to other SD herds have been removed and tested. All animals in other herds that have been tested have been negative for CWD.

Dr. Miller reported on Tuberculosis (TB). South Dakota state animal health officials were contacted about a cow slaughtered in NE that was found to be culture positive for Bovine TB in December 2023. The official ID collected was a brucellosis vaccination tag issued to a SD veterinarian. Database searches found the cow had been listed on a CVI from a SD auction market to a Wyoming ranch. The cow was part of a herd dispersal through the SD auction market and most animals went to other states. As the trace progressed through other states, it was found that some cows came back from a Wyoming ranch to the same SD auction market. Those animals were traced to Nebraska and three locations in SD. The animals that stayed in SD were fed and sent to slaughter or will be slaughtered in July 2024.

Dr. Anderson updated the board on the Meat Inspection program. Currently, SD has 58 custom plants and 37 inspected plants. Of the inspected plants, 9 are processing only, 8 are slaughter only and 20 are processing and slaughter plants. South Dakota's Cooperative Interstate Shipping program (CIS) has two plants (one slaughter and one slaughter and processing) and one processing plant waiting for select status. Board members commented on the SD Meat Inspection program as being one of the better states for meat inspection. Dr Thompson testified before the Interim Rules Review Committee on April 15th and the Rules Review Committee declared the rulemaking process complete for Administrative Rules 12:68:15:12 - Sale of retail meat products. These rules were filed with the Secretary of State and will be provisionally effective May 9, 2024.

Dr. Wiechmann presented the National Animal Disease Preparedness and Response Program (NADPRP) updates to the board. SDAIB has cooperative agreements through NADPRP for Swine Electrocution and Poultry Foam Response. SDAIB and a contract attorney are discussing litigations into obtaining a Swine Electrocution Unit from Germany. The Poultry Foam Response agreement will be used to build foaming machines to euthanize poultry.

Dr. Reenders asked the Board's opinion on whether a 2008 AIB memo regarding backtags should be considered to still be in effect. The memo states that all intact cattle over 18 months of age must be backtagged. SDAR 12:68:29:07 mentions backtag use on all animals marketed for immediate slaughter but does not include the age of the animals. Federal rule (9CFR) requires backtags in lieu of official identification on cattle 18 months and older that move interstate. The board members agreed that a backtag requirement on younger adult feeder cattle moving intrastate was not needed. Steve Rommereim moved to rescind the memo. Jeffery Gatzke seconded. A voice vote was taken. Motion passed.

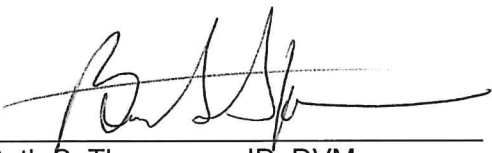
Dr. Parmer discussed possible administrative rule changes to exclude semen and embryos as live animals for import permits.

Josh Kitzan moved to enter executive session. Dr. John Voegeli seconded. A voice vote was taken. Executive session was entered into from 1:15 p.m. until 1:50 p.m. The motion to come out of executive session was made by Lynn Boadwine. Dr. John Voegeli seconded. A voice vote was taken. Motion passed.

At 1:50 p.m. President Nagel adjourned the meeting.

 *Pres.*

Bryan Nagel, President
Animal Industry Board



Beth S. Thompson, JD, DVM
State Veterinarian and Executive Secretary

