TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

July 9, 2009

The Honorable Tom Vilsack
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack:

I read today that you will soon be unveiling a plan to assist the dairy industry with the current market situation. This letter is to request that you include in that plan an action to protect the health of our nation's dairy herd from a potential disease epidemic, which threatens our entire cattle herd. Financial security and health protection go hand in hand in the livestock industry.

I request your emergency assistance in an animal health issue that has been developing in Texas since April 23, 2009 when a herd of dairy cattle was quarantined for Bovine Tuberculosis after several animals had laboratory results consistent with the disease. Bovine Tuberculosis was confirmed by culture at National Veterinary Services Laboratories (NVSL) on May 20, 2009. So far, NVSL has confirmed six cases of Bovine Tuberculosis in this herd.

Texas is proud of the cooperative work between the Texas Animal Health Commission (TAHC) and USDA to eradicate bovine TB from the state – a milestone we celebrated in September 2006. Without prompt and aggressive action, not only is this status threatened for the nation's leading cattle producing state, but the health of the nation's cattle herd is also at risk.

Your urgent assistance is needed in using the resources of the federal government to indemnify and depopulate this entire dairy herd, as well as to assist in covering costs associated with quarantine and testing activities. I am aware of the limited nature of the funds that are designed for this purpose under the Animal and Plant Health Inspection Service. Nevertheless, I feel confident this emergency easily rises to the level of emergency required to access Commodity Credit Corporation (CCC) emergency funding.

There is also a component of this particular situation that complicates matters somewhat. The infected dairy is in bankruptcy status currently. While this issue, in and of itself, is no reason to indemnify and depopulate the herd, it does affect the ability to protect the health of other herds from this infection. Without the herd being managed as an operating dairy business, a quarantine on this herd has a high risk of not being effective.

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Regardless of the financial status of this business, animal health officials at TAHC tell me that this situation merits depopulation and this is the responsible course of action.

Thank you for your consideration. Unfortunately, other than depopulation and indemnification, no other viable option exists that will adequately protect the nation's cattle herd.

Sincerely yours,

Todd Staples

TS/DD/lsm