Subject: Letter in support of HF 2814-Farmed Cervidae owner requirements modified, chronic wasting disease live-animal testing required, and money appropriated.

The Chronic Wasting Disease Action Coalition is a coalition of organizations who are working to maintain the health of Minnesota's wild cervid animals. Currently CWD is spreading across our state and poses a real and long term threat to our wild deer, elk, and moose, as well as our hunting heritage and the half billion dollar hunting economy supported by deer hunting activities.

At the present time, two state agencies have been given concurrent authority over captive cervid animals. From reviewing the recent MN DNR and BAH Report: "Concurrent Authority Regulating Farmed Whitetail Deer" it is clear that urgent action is necessary to protect the health of wild deer in Minnesota. Rates of fencing infractions witnessed by agency officials and detailed in the report are simply unacceptable. The report also highlights that nationwide, even cervid farms that meet the highest USDA standards for herd certification were still found to be spreading CWD. The report states that "most of the herds discovered to have CWD in the United States in the past 5 years have been Level 6 (highest level of certification) at the time of disease discovery."

The CWD Action Coalition supports the recommendations of the MN DNR and BAH as detailed in the concurrent authority report. These recommendations, along with the implementation of the language in HF 2814, will provide a higher level of oversight and understanding of the condition of captive herd animals in Minnesota.

Researchers in Minnesota have developed the RT-QuIC test, which can be used in an antemortem state. Up until recently, reliable methods have only been available for testing deceased animals. This test has been shown to be very reliable in detecting the presence of the disease in living cervid animals. The use of RT-QuIC to test all captive cervids in Minnesota as described in HF 2814 is a step in the right direction as we seek to fully understand the prevalence of the disease in captive cervids.

If an animal tests positive for CWD, this bill provides an action plan to stem the spread of this always fatal disease.

HF 2814 is a solid step towards getting the spread of chronic wasting disease in Minnesota under control. The members of the CWD Action Coalition support the passage of this legislation and urge members of

our state legislature to continue to work for the long term health of our wild cervid animals, hunting culture, and economy. The time for action is now and using the RT-QuIC test to determine just where CWD is present will provide important information to cervid farmers and our state agencies tasked with the oversight of these facilities.

Sincerely,

Members of the CWD Action Coalition

Minnesota Conservation Federation
Backcountry Hunters and Anglers- Minnesota Chapter
Bluffland Whitetails Association
Minnesota Chapter of the Wildlife Society
Minnesota Deer Hunters Association
Minnesota Division of the Izaak Walton League of America
Minnesota Outdoor Heritage Association
National Deer Association
National Wildlife Federation
Sportsmen for the Boundary Waters

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2/21/2022

Rep. Rob Ecklund
409 State Office Building
St. Paul, MN 55155

RE: HF2814 (Ecklund) and QT-QuIC

Dear Rep. Ecklund:

I am writing to express Wildlife Research Center's support for and confidence in QT-QuIC testing.

A family business based in Ramsey, Minnesota, Wildlife Research Center is an industry leader in Urine-Based Scent and Scent Elimination products used by deer hunters across the state and country.

Wildlife Research Center shares the concerns of deer hunters and public policy officials about the potential CWD contamination of Minnesota's wild deer herd. Recognizing the adverse effects of CWD on wild deer herds, Wildlife Research Center has actively engaged in science-based efforts to prevent the spread of CWD. As a family owned business dependent on a vibrant and healthy wild deer herd, and as avid hunters ourselves, we consider it our responsibility to do so.

More than half a decade ago, with the help of the Archery Trade Association, hunting scent industry leaders worked with Wildlife Agencies, Wildlife Disease Experts and industry experts, to develop a set of rigorous standards and strict biosecurity measures to protect the facilities where the urine in our scent products comes from, providing safe sources of urine-based scent products. These standards go above and beyond state and federal regulations. The result was the establishment of the Deer Protection Program (DPP).

Program compliance is measured by verification of required paperwork and inspection reports completed by 3rd party accredited veterinarians. Additional facility inspections may be conducted to ensure compliance. Only upon verification of compliance of all DPP measures is a participant certified and allowed to use the DPP checkmark certification trademark logo on their packaging.

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The Deer Protection Program is built on top of the USDA Herd Certification Program and, in addition to federal and state- approved CWD program guidelines, the Program:

I. prohibits urine production facilities from importing live cervids;
II. requires that all cervids exported from the facility be tested for chronic wasting disease upon death;
III. mandates annual inspections by an accredited veterinarian, including inspection of the herd, facilities and applicable records; and
IV. specifies construction and maintenance of an 8-foot or higher perimeter fence to protect the facility and, in CWD zones, a double perimeter fence to prevent direct contact between captive and wild cervids.

CWD has never been found in a Deer Protection Program collection facility.

In further effort to ensure safe and responsible hunting scent products, industry leaders in 2019 began to take yet another step and began RT-QuIC testing every lot of urine used in these products. Since then, it has become yet another requirement of the Deer Protection Program.

RT-QuIC testing is used as a final conformation to ensure that the deer urine in these products poses no risk to wildlife.

Independent testing of each lot of deer urine is performed prior to distribution of any DPP urine product. No urine from DPP facilities has tested positive for CWD which is congruent with the current CWD free status of the DPP deer herds providing urine to the scent industry.

RT-QuIC is a reliable test to determine if prions are present in urine and many other samples as well. RT-QuIC testing is the next generation of CWD tests and is being used widely in the veterinary diagnostic world to detect CWD. Several universities and states are exploring Rt-QuIC as a method for live animal testing and surveillance, and more than 40 peer reviewed papers have confirmed the validity of RT-QuIC as a detection assay for prion diseases like CWD.

RT-QuIC testing is currently not a USDA approved test for CWD. However, the USDA and multiple states have turned to RT-QuIC testing for accurate and reliable answers about the CWD status of many sample types.

The USDA is currently in the process of a pilot study to also determine the effectiveness of RT-QuIC as a live animal test for CWD. Multiple states are currently interested or pushing for the adoption of RT-QuIC as a live animal test for CWD. We anticipate this will happen relatively soon.

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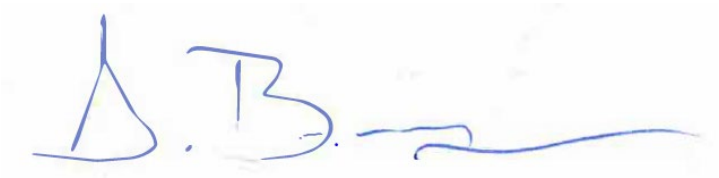
Understanding the threat that CWD poses to wild deer herds, WRC and other industry leaders, as business owners and hunters that depend on a healthy, vibrant deer population appreciate the efforts that our state legislators and officials are putting into combatting Chronic Wasting Disease.

Thank you for this opportunity to share with legislators, regulators, hunters, and the general public what Wildlife Research Center and other industry leaders are doing to protect wild deer.

Sincerely,



Sam Burgeson, President
Wildlife Research Center

Minnesota Realtors®
11100 Bren Road West | Minnetonka, MN 55343 952.935.8313 | 800.862.6097 www.mnrealtor.com

February 28, 2022

Chair Hansen and Members of the House Environment and Natural Resources Finance and Policy Committee:

Thank you for the opportunity to submit comments on Rep. Ecklund's HF 2814.

Minnesota Realtors® was founded in 1919 and is a statewide business trade association with a membership of over 21,000 real estate professionals working with buyers and sellers of all types of property in every corner of the state.

We would like to share our concerns with provisions found on page 2, lines 2-8, which would require soil testing for evidence of chronic wasting disease (CWD) prior to the sale or transfer of farmed Cervidae properties.

At the House Agriculture Finance Committee hearing on HF 2814 last week, members heard testimony that testing soil for CWD is "extremely problematic." Requiring inconsistent or unreliable soil testing prior to the sale or transfer or property could interfere with the property owner's fundamental property right of disposition.

We recommend striking this provision from the bill and encourage collaboration with all stakeholders regarding how best to ensure current and future owners understand the requirements associated with detection of CWD on a farmed Cervidae premises, while also avoiding the creation of impractical or unnecessary barriers associated with the sale or transfer of property.

Again, thank you for the opportunity to provide written comments on this bill.

Sincerely,

Matt Spellman
Director, Governmental Affairs
Minnesota Realtors®

United States Department of Agriculture

United States Department of Agriculture

Marketing and Regulatory Programs

Washington, DC 20250

February 14, 2022

Jerry Torrison, DVM, PhD, DACVPM
Director, Veterinary Diagnostic Laboratory
University of Minnesota
E220 VetDL
1333 Gortner Avenue
St. Paul, MN 55108

Dear Dr. Torrison:

Thank you for the opportunity to provide the Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) position on implementing and performing an unvalidated/unapproved assay (RT-QuIC) at the University of Minnesota Veterinary Diagnostic Laboratory which is approved to perform official testing for chronic wasting disease (CWD). Previous guidance has stated, "that testing for [National Animal Health Laboratory Network] NAHLN scope diseases should only occur on validated and approved samples using validated assays."

This guidance remains in effect. VS strongly discourages NAHLN laboratories from providing unofficial testing using unvalidated assays or protocols (kits not yet licensed in the U.S., RT-QuIC, etc.) or using any test on unapproved/unvalidated samples (feed components, meat products, environmental testing, etc.) for NAHLN scope diseases (see list below). If a NAHLN Laboratory chooses to participate in this testing, action will be taken based on the Laboratory Performance Policy document (NVSL-Policy-0036.02) to address what is considered outside the standard expectations of the NAHLN.

Rationale: Testing for program and other high consequence diseases in the U.S. such as those under NAHLN scope carries a high level of responsibility. Results of this testing have far-reaching effects for the states involved and the cervid industry. Specific to test results from NAHLN, stakeholders must have confidence in a negative test result and what that means; we need to know that a negative result indicates absence of disease or agent. A false negative test result could allow disease to spread before the laboratory accurately identifies it. We also must know what a positive test result is identifying. A false positive could affect producers' livelihoods, interstate commerce, and international trade. False positive results can also affect our ability to implement RT-QuIC as an official test once the assay is validated due to a loss in confidence in the test. Understanding the limitations of an assay is key in providing context for interpreting the test results. For the RT-QuIC assay, the approved validation has not been completed, no specific sample types evaluated for approval, or a standardized protocol accepted for official testing.

The National Veterinary Services Laboratories (NVSL) has validated the NVSL-NAHLN approved assays for specific sample types for use in the U.S. herds/flocks.

The assays have known performance characteristics on these sample types both in the laboratory and in the field. Both NVSL and the NAHLN laboratories have analysts with proven proficiency in running these assays, ensuring that test results are provided with confidence, and non-negative results for high consequence diseases received at the NAHLN laboratory can be confirmed by NVSL's reference laboratories. Thus, on the rare occurrence where discrepancies in test results occur between the NVSL and a NAHLN laboratory, we can evaluate these differences because of the reference laboratories clear understanding of the performance characteristics of the screening tests VS has deployed to the laboratories. Any troubleshooting can efficiently cover well-defined aspects of the screening tests and laboratories can report results with confidence in a timely manner. When laboratories use assays with unknown performance characteristics to test sample types for which NVSL has not validated the assay, the confidence in the test drops significantly. We cannot easily interpret test results, and this puts us at a significant disadvantage as we cannot make decisions in a timely manner or with confidence. The testing laboratory, whether it is a NAHLN laboratory or NVSL, must understand what a positive or negative result means.

As the U.S. confirmatory laboratories for high consequence animal diseases, NVSL may not be able to confirm these results. In the meantime, laboratories may spend an abundant amount of time and resources in attempting to troubleshoot the test. Moreover, State and Federal animal health officials must make decisions and take actions that have repercussions in response to a test result that may have questionable meaning and integrity. Our stakeholders would expect the U.S. to answer questions pertaining to testing conducted outside of APHIS' oversight, and the outcome could cause them to lose confidence in our country's disease status and control programs.

NAHLN Scope Diseases (animal sample testing)

- African swine fever
- Avian influenza
- Bovine spongiform encephalopathy
- Chronic wasting disease
- Classical swine fever
- Foot and mouth disease
- Infectious salmon anemia
- Newcastle disease
- Pseudorabies
- Scrapie
- Spring viremia of carp
- Swine influenza
- Viral hemorrhagic septicemia
- Vesicular stomatitis virus

Finally, APHIS VS is actively evaluating and funding research on the utility of using RT-QuIC in the CWD program and is optimistic about the potential of the assay. It is vital that a process of evaluation and validation is done across

laboratories to ensure the consistent performance of the assay. If you or others have questions, please direct them to Dr. Christina Loiacono, NAHLN Coordinator, at Christina.M.Loiacono@aphis.usda.gov.

Sincerely,

Rosemary B. Sifford, DVM
Deputy Administrator
Veterinary Services
Animal and Plant Health Inspection Service

CC: Dr. Beth Thompson, Executive Director, State Veterinarian, Minnesota Board of Animal Health
Dr. Stephan Schaefbauer, Minnesota Area Veterinarian in Charge, Veterinary Services