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TRANSCRIPT OF PUBLIC HEARING

ON

PROPOSED RULES

FOR

REPORTING LIVESTOCK POISONING

NOVEMBER 13, 1973

IOWA CHEMICAL TECHNOLOGY COMMISSION
IOWA DEPARTMENT OF ENVIRONMENTAL QUALITY
DES MOINES, IOWA

BEFORE THE IOWA CHEMICAL TECHNOLOGY COMMISSION
IOWA DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

HEARING ON THE PROPOSED RULES AND REGULATIONS
RELATING TO THE REPORTING OF POISONING OF
DOMESTIC LIVESTOCK.

Conference Room C
Department of Environmental
Quality Building
Des Moines, Iowa
Tuesday, November 13, 1973

The above entitled matter came on for hearing at 10:00 a.m.

BEFORE:

THE IOWA CHEMICAL TECHNOLOGY COMMISSION; with Gordon
E. Mau, Chairman; Othie R. McMurry; James D. Meimann,
(Representing Robert H. Lounsberry); Kenneth C. Choquette,
(Representing N. L. Pawlewski); Donald L. Johnson; Don L. Bonneau,
(Representing Fred A. Priewert); and Robert C. Yapp, Members,
sitting.

I N D E X

Introduction

Gordon E. Mau, Ph.D., Chairman 1
Iowa Chemical Technology Commission

Opening Statement

J. Edward Brown 1
Iowa Department of Environmental Quality

Oral Statements

F. D. Wertman, D.V.M. 3
Executive Director
Iowa Veterinary Medical Association
826 Fleming Building
Des Moines, Iowa

Vaughn A. Seaton, D.V.M. 5
Professor and Head
Veterinary Diagnostic Laboratory
Iowa State University
Ames, Iowa

William B. Buck, D.V.M. 9
Professor
Veterinary Diagnostic Laboratory
Iowa State University
Ames, Iowa

Larry J. Anderson 12
Pesticide Accident Officer
United States Environmental Protection Agency
1735 Baltimore
Kansas City, Missouri

M. R. Van Cleave, Director 25
Pesticide Division
Iowa State Department of Agriculture
State House
Des Moines, Iowa

Written Statements

E. A. Butler, D.V.M., Chief Division of Animal Industry Iowa State Department of Agriculture State House Des Moines, Iowa	31
Vaughn A. Seaton, D.V.M. Professor and Head Veterinary Diagnostic Laboratory Iowa State University Ames, Iowa	32
Louis P. Ducommun, D.V.M. Veterinarian P. O. Box 151 Cleghorn, Iowa	34
J. R. Rosdail, D.V.M., President Iowa Veterinary Medical Association 826 Fleming Building Des Moines, Iowa	35
V. L. Klopfenstein, D.V.M., President Eastern Iowa Veterinary Association Linn Animal Hospital 380 Marion Boulevard Marion, Iowa	37
Vaughn A. Seaton, D.V.M. Professor and Head Veterinary Diagnostic Laboratory Iowa State University Ames, Iowa	38

Attendants

C. L. Campbell, Ph.D., Director
Chemical Technology Division
Iowa Department of Environmental Quality
3920 Delaware Avenue
Des Moines, Iowa

E. J. Osen, D.V.M.
Assistant State Veterinarian
Iowa State Department of Agriculture
State House
Des Moines, Iowa

Press

E. R. Jackson
Reporter
UPI
Des Moines, Iowa

Official Notice

Proof of publication 42

Public Notice Items

Decorah Journal 43

Elgin Echo 43

Fayette County Leader 43

Des Moines Register 44

Ames Tribune-Times 44

Report of Hearing

Ames Daily Tribune 45

P R O C E E D I N G S

1 DR. MAU: This is a public hearing by the Iowa
2 Chemical Technology Commission for the establishing of rules
3 and regulations relating to the poisoning of domestic
4 livestock.

5 Present at this meeting today are Mr. Othie
6 McMurry, who is Director of Natural Resources and Vice-
7 Chairman of this Commission; Mr. James Meimann, representing
8 Robert Lounsberry, Secretary of Agriculture; Mr. Kenneth
9 Choquette, representing the Commissioner of Public Health;
10 Mr. Donald Johnson, representing the Soil Conservation
11 Committee; Mr. Don Bonneau, representing the State Conservation
12 Commission; Mr. Robert Yapp is the industrial representative;
13 and I represent agriculture and I'm chairman of the Commission.
14 Absent is a representative of the Dean of Agriculture at
15 Iowa State, and the League of Municipalities.

16 Now for this hearing today, Mr. Brown of the
17 Department staff will serve as Hearing Officer and will
18 initiate the hearing.

19 MR. BROWN: Thank you, Dr. Mau. This hearing
20 is now in session. The purpose of this hearing is to
21 receive comments regarding the proposed rules requiring
22 the reporting of known and suspected cases of domestic
23 livestock poisoning pursuant to Section 455B.102. Notice of
24 this hearing was published on October 7, October 14, and
25 October 21 in a newspaper of general circulation throughout
26 the state. Copies of the proof of publication of these
27 notices has been provided to the Department, and Dr. Campbell,

1 I believe you have copies of proof of publication. O.K.
2 We'll enter those into the record of this hearing. The
3 proposed rules, in addition, were sent specifically to all
4 veterinarians, local boards of health, county extension
5 service directors, farm organizations, newspapers and
6 other news media, and other interested and affected parties.
7 A copy of the proposed rules has been placed on display for
8 public reference in the quarters of the Department of
9 Environmental Quality.

10 These rules are proposed to implement Section
11 455B.102, Subsection 4. It should be emphasized at this
12 time that these rules are not finally adopted. Oral comments
13 presented at this hearing and any written statements
14 submitted prior to this hearing or within ten days after this
15 hearing will be made a part of the hearing record, and
16 given consideration prior to the final adoption of these
17 rules. All testimony at this hearing must be in reference
18 to the rules which are the subject of this hearing. All
19 comments will be recorded, and following the hearing, a
20 transcript will be prepared and retained for public
21 inspection. Finally, the Commission and the staff are
22 not present to defend any part of these rules. Rather,
23 they are here to receive your comments.

24 It is requested that persons making comments
25 come to the chair next to Dr. Campbell, and present their
26 statement. It is also requested that each person presenting
27 a statement first identify himself for the record, stating

1 his name, the company or organization they represent, and
2 the city or town from which they have come.

3 I'd also like to first ask Dr. Campbell if any
4 written statements have been received by the Department
5 regarding this matter, and if you would please, Dr. Campbell,
6 identify the sources of those comments and then we'll enter
7 those into the record, too.

8 DR. CAMPBELL: O.K. Mr. Chairman, we have
9 received written communications from the Iowa State University,
10 Dr. Vaughn Seaton, Head of the Veterinary Diagnostic Laboratory.
11 We have received communications from Dr. Butler, State
12 Veterinarian, and the Department of Agriculture; also one
13 from Dr. Louis P. Ducommun, practicing veterinarian at Cleghorn,
14 and we have received a communication from Dr. Rosdail,
15 President of the Iowa Veterinary Medical Association. By
16 the way, that letter from Dr. Rosdail was also signed by
17 Dr. Wertman, the Executive Director of their Association.

18 MR. BROWN: Thank you, Dr. Campbell. I now have
19 before me a list of persons who would desire to make their
20 oral presentations. I will call them in the order that I
21 have received the cards. I first call Mr. F. D. Wertman.

22 F. D. WERTMAN, D.V.M.
23 Executive Director
24 Iowa Veterinary Medical Association
25 826 Fleming Building
26 Des Moines, Iowa

27 DR. WERTMAN: That's Dr. Wertman, and I'm
Executive Director of the Iowa Veterinary Medical Association.
I'm representing the veterinary association for the state of

1 Iowa. We do have a written statement that Dr. Campbell
2 just alluded to. I would just make a short oral statement
3 that the veterinary association, the veterinary profession,
4 is concerned about our environment, and we wholeheartedly
5 support all the efforts you're making to improve the
6 environment.

7 The concern I think we have as practicing
8 veterinarians, by the way, I'm not a practicing veterinarian,
9 but I represent a lot of them, is the business, the manner
10 of reporting the cases. We are very much aware that in disease
11 reporting, not only in our profession, but in other professions,
12 it is very difficult many times to get the reports submitted.
13 They're late or some other thing might happen to them. And
14 I think this is our main concern. And if we can find a good
15 method of getting the reporting done, this would be fine.
16 But this is a concern that we have, and I think you on this
17 board should be aware of.

18 As far as the reporting and where the reports
19 should be made, this is more or less immaterial to us. We
20 have a procedure set up now where we do report to the
21 Laboratory, the Diagnostic Laboratory at Ames, and as I
22 understand it, the Diagnostic Laboratory then sends reports
23 to the Department of Environmental Quality. This procedure
24 is already established and probably should be continued
25 in that manner. And I think that's all the statement that
26 I would like to make at this time.

27 MR. BROWN: Thank you. I would now call

1 Dr. Vaughn A. Seaton.

2 VAUGHN A. SEATON, D.V.M.
3 Professor and Head
4 Veterinary Diagnostic Laboratory
5 Iowa State University
6 Ames, Iowa

7 DR. SEATON: I'm Dr. Seaton, head of the
8 Veterinary Diagnostic Lab at Iowa State University. I
9 did write a letter to Dr. Campbell; it was not written
10 as a prepared statement for this hearing, but it did
11 express some of the concerns that I had for the proposed
12 rules. Since that time, I have a few additional ones.

13 My main concern was the portion that referred to
14 the practicing veterinarians reporting all suspect cases of
15 toxicity. I think that this is a little more inclusive than
16 really practical. In the course of a day's practice, there
17 are many, many cases that are run into that are somewhat
18 along the line of toxicity; it's suspected. I think from
19 a practical point of view that the veterinarian doesn't report
20 it then, but does submit the animal to the Laboratory, which
21 is the normal procedure for toxicities as well as infectious
22 diseases. And then we do post mortems, the differential
23 diagnosis, virus isolations, bacteriology, and so forth,
24 and eventually arrive at a confirmed diagnosis of toxicity
25 that if we read the proposed rules, according to the letter,
26 that veterinarian would be liable, or would be negligent,
27 in not having reported it as a suspect. Many of these suspects
do not turn out to be a case of toxicity.

I also am aware of human nature, and the difficulty

1 that we have in getting people to report such cases. I
2 mentioned to Dr. Campbell in the letter, with his experience
3 with the State Department of Health, and I have personally
4 been involved with the State Department of Health for many
5 years and am a member of the State Board of Health at this
6 time, and I am aware of the problems we have with physicians
7 reporting cases of infectious disease, and I really don't think
8 that we can expect veterinarians to be more diligent in the
9 reporting of these kinds of cases in so far as the suspects
10 are concerned. Certainly, those that are confirmed, there's
11 no problem. We have been sending to the DEQ, as we did to
12 the Department of Agriculture prior to the DEQ's formation,
13 a very brief list of those confirmed toxicities that come
14 through the Laboratory. In the future, we could expand that
15 and send a copy of the report to the DEQ in its entirety, if
16 they'd be interested in it. So my point here so far is the,
17 I question the need to report all suspects.

18 The second thing that was mentioned was the
19 reporting of both to the Diagnostic Laboratory and to the
20 DEQ. Certainly, we are in favor of that type of reporting.
21 In fact, we favor the intent of all the rules. We applaud
22 the effort here. It does seem to us, however, that it is
23 a bit redundant to report both places. I think that we
24 might have enough difficulty getting the suspects reported
25 to either one.

26 It occurred to me that we might work out an
27 arrangement with the DEQ and the Veterinary Diagnostic

1 Lab similar to that that we had with the Department of
2 Agriculture, in so far as infectious diseases are concerned,
3 and that is this: In those instances in which there is a
4 reportable infectious disease or in this case, with the
5 DEQ, a significant toxicity, we could report those to the
6 Department. We can also notify the DEQ at the time that the
7 case is first presented to us, or we first get our first
8 phone call. It would seem to me that this would alert DEQ
9 so that they might make whatever investigation they would
10 like to, and also keep the normal channels that we have
11 established with the practitioners in operation for toxicities
12 as well as we have for infectious diseases.

13 Really, what I'm saying here in a nutshell is that
14 if we change course here on the reporting at this stage,
15 it seems probable to me that we may be losing some information
16 and losing track of some cases which we normally would be
17 on top of. For instance, if the practicing veterinarian
18 is to contact the DEQ, alone and only, they may not follow
19 up with the field investigation with post mortem examination
20 of animals, with the virus isolation, bacterial isolations,
21 histopathology, and so forth, all of which need to be done
22 in the process of making a differential diagnosis, including
23 a toxicity. I fear that the practicing veterinarian may
24 call the DEQ to let them know that he suspects a problem,
25 and that the matter might not go on to fruition because the
26 veterinarian is expecting the same kind of response from
27 the DEQ that he has become used to expecting from the

1 Diagnostic Lab.

2 So, that's a concern, as I would propose, as
3 soon as we knew of a case we could notify the DEQ; as soon
4 as we have it confirmed or denied, we could send a copy
5 of that file report. So, those are my two concerns.
6 Thank you.

7 DR. MAU: I think these points are all well
8 taken, but I believe the reason for the suspected poisoning
9 and getting DEQ alerted is primarily that the alert is early
10 enough that field investigations can be made, other than
11 the medical aspects to see what's involved, how it's handled,
12 and perhaps avoid further difficulty. And I believe the
13 other, the main, reason for having the DEQ notified was that
14 the Department of Agriculture, Iowa State University, everybody
15 is a part of this, and they would know immediately. Now,
16 your points are well taken, but that's the reason that these
17 things were put in here as they were.

18 DR. SEATON: Mr. Chairman, may I comment? If I
19 left the impression that I didn't want the DEQ notified . . .

20 DR. MAU: No, I think your points are well taken,
21 but the reason that they're in here is what we've said, and
22 these things all have to be. We've been through about, what,
23 two or three drafts, on this, and that's the reason it's now
24 out for hearing is to get comments which . . .

25 DR. SEATON: I do believe that DEQ can be
26 notified just as rapidly this way as the other.

27 MR. BROWN: I now call Dr. William Buck.

1 WILLIAM B. BUCK, D.V.M.
2 Professor
3 Veterinary Diagnostic Laboratory
4 Iowa State University
5 Ames, Iowa

6 DR. BUCK: I'm Dr. William Buck. I'm professor
7 in charge of the toxicology section of the Diagnostic
8 Laboratory under the chairmanship of Dr. Seaton. If you
9 don't mind, I'd like to go back a little bit into the
10 history of our function at Iowa State.

11 In 1964, we established a section in toxicology
12 which incidentally, I think, is the first in the nation
13 in veterinary medicine. Is that not right, Dr. Seaton?
14 I believe in 1964 that was the first toxicology section in
15 a veterinary diagnostic institution, and I think even today
16 we are probably recognized as probably the home base for
17 this type of function. Iowa State Diagnostic Lab receives
18 consultation calls from all over the nation, from every
19 state in the union. We have received consultation calls
20 on a fairly routine basis. Not that we're the only ones,
21 but today we have probably ten laboratories throughout the
22 United States that do fairly decent toxicology work in
23 animal medicine. And our people are in fairly constant
24 consultation with these other laboratories.

25 Back when Dr., when Senator Lavery and
26 Representative Varley came to our area and interviewed us
27 about the establishing a chemical technology review board,
this subject was brought up, and I'm fairly certain that's
why this provision was put in that first act. We had had

1 an experience of about five years investigating and reporting
2 animal poisoning in Iowa to the Community Pesticides Study
3 Program which was then under the FDA. And we found that
4 this was very beneficial to have this type of reporting
5 and confirmation of the poisoning cases that we had.

6 It was through this type of work that we came
7 to you later, you know, with the thought that the restriction
8 on the use of arsenicals, inorganic arsenicals, would result
9 in much fewer animal poisonings and, incidentally, that
10 has taken place now. We have had, since we banned the use
11 of arsenic, I think there's only been one or two cases out
12 of Iowa. We still get several cases from surrounding states,
13 but in Iowa we just don't get any more inorganic arsenic
14 poisoning.

15 So we feel that we have a pretty good rapport with
16 the practicing veterinarian in the state of Iowa, and we
17 have not, in the past, been reporting to DEQ. Except very
18 briefly as Dr. Seaton mentioned. I believe that we can
19 establish a good rapport with DEQ when once we lay down
20 the rules and what we want, and establish what we want to
21 do. We have the facilities for investigating and confirming
22 these cases.

23 But, there's one problem with the suspect cases.
24 Probably twenty to thirty percent of the cases that are
25 actually confirmed as poison cases by agricultural chemicals
26 were submitted not suspecting them as being poison cases.
27 On the other hand, perhaps fifty to seventy percent of the

1 cases that are suspected poisoning never turn out to be such.
2 And then here's another real interesting point, we now
3 quite frequently come up with combined infectious and
4 noninfectious, or agricultural involvement. And to try to
5 single out a suspect and say that every suspect case you would be
6 you would receive we'll say the Environmental Quality people
7 would receive here, you would find about 2,500 cases a year
8 if you really got them reporting it; that's about what we're
9 getting. This is quite a few to try to investigate. We
10 propose that by our screening methods, you not only would
11 know of those which it appeared very likely that we do
12 have a poisoning, but we also could give you the, if it was
13 a case that was let's say fairly dramatic, we could give you
14 continuing reports on it, and work with you people in
15 investigating it. And then finally the chemical conformation,
16 the differential diagnosis, and so forth, we would give you
17 a final report that is made.

18 So, I would hope that we can work out something
19 that would be practical. If you had it so that an individual
20 reports only to the DEQ, or to both the DEQ and the Veterinary
21 Diagnostic Lab, as Dr. Seaton mentioned, you're going to
22 have some confusion. Who has the responsibility? Who's got
23 the responsibility of notifying the other?

24 We had this one case in point, and probably someone
25 will bring it up, of the contamination of water up here.
26 We didn't know anything about that case. It had been, I
27 think it was, reported to the DEQ and we didn't even know

1 anything about it. And I don't know whether anybody to
2 this day really did a differential diagnosis on that case
3 and really confirmed it. But, I suppose that's all I have
4 to say.

5 MR. BROWN: Thank you, Dr. Buck. And I'll call
6 Larry Anderson.

7 LARRY J. ANDERSON
8 Pesticide Accident Officer
9 Environmental Protection Agency
10 1735 Baltimore
11 Kansas City, Missouri

12 MR. ANDERSON: I just wanted to make a couple
13 of comments. I'm with Environmental Protection Agency in
14 Kansas City, Missouri, and hold the illustrious title of
15 being the Pesticide Accident Officer. We're interested, of
16 course, in pesticide accidents that happen throughout the
17 nation, primarily those that are confirmed.

18 When we first started out, they wanted every-
19 thing turned in, and we found that the states and the people
20 that we were working with had the same reluctance to report
21 incidents as I've heard mentioned here this morning.

22 We are interested in the actual pesticide poisonings
23 that do occur because where the Environmental Protection
24 Agency does have the new law and is trying to do some enforcement
25 and to determine what materials should be on the market,
26 whether they should be restricted or not. We need quite a bit
27 of background information on the problems that are brought
about by pesticide usage in order to make intelligent decisions
in this area.

1 One thing that concerns me is you did mention
2 all these various agencies that do have an interest in
3 pesticide accident reporting and going out and seeing what
4 actually happened is that I've been involved with some
5 pesticide accidents that you end up with seven or eight
6 agencies contacting the same person and asking fundamentally
7 about the same kind of questions.

8 So what I've been attempting to do is to try to
9 get, to coordinate the effort in a state. Dr. Campbell has
10 agreed to be the Pesticide Accident Coordinator for reporting
11 accidents to us in the Regional office. Hopefully, the
12 central coordination, if the agency that's reporting indicates
13 that they are going to in fact investigate it, and they are
14 getting the information that everybody wants, it seems to me
15 that with proper coordination and cooperation within the
16 state, you can have one individual make the investigation.
17 and supply copies of this information to those agencies that
18 have a need to know.

19 Further, you would have one person in the state
20 that would have all of the pesticide accident information
21 available at his fingertips for use in the various departments.
22 Where at the present time where Fish and Wildlife might
23 investigate accidents, they've got it in their files, but
24 nobody knows actually what happened in that area. So you don't
25 have a general knowledge with one person in the state having
26 all of this information, but a little piece meal information
27 in the various departments.

1 I think this is very important, and I think that
2 the information that is going to be derived from it is needed.
3 Wish you a lot of success in it, and if I can be of any
4 assistance in helping in any way, I'll certainly be available.
5 Thank you.

6 MR. BROWN: Thank you, Mr. Anderson. That
7 appears to be all the cards I have regarding people that wish
8 to make comments. Would anyone else care to make a comment?

9 DR. BUCK: Can I make another comment? One
10 point that I forgot to make, and I think it is very important
11 that you look at the rule as it was written; I don't know
12 whether you want this or not. That says "biological or
13 chemical" agents. Now, of course, Mr. Anderson is concerned
14 with pesticides, and so are we, but perhaps over half our
15 problems are not pesticides and related problems. Some of
16 them are feed additives. Certainly, feed additives is a
17 very common one, but mold toxins, bacterial toxins in foods,
18 in feeds, are common problems that we deal with, and
19 certainly it's a biological, that is a biological agent,
20 so we're not concerned just with pesticides at the Diagnostic
21 Lab, and I don't think the Department of Environmental Quality
22 should be either, because when you consider the fungal toxins
23 alone from all the way from possible carcinogenicity on down
24 to liver damage; these all should be reported to you. And
25 so, that's the point that I forgot to mention.

26 MR. BROWN: Thank you, Dr. Buck. O.K. Would
27 anyone else

1 MR. MCMURRY: Could I raise a question?

2 MR. BROWN: I imagine so.

3 MR. MCMURRY: Dr. Buck or Dr. Seaton, where
4 have you been sending this reports in the past? I'm
5 concerned as an example with DEQ. Have they been in the
6 mail in the past?

7 DR. SEATON: These reports, as I mentioned, are
8 very brief. They were patterned after the reports that we
9 sent to the Department of Agriculture prior to DEQ's formation,
10 and simply list, I guess I have one, and simply list the
11 toxicity, the species of animal involved, and little else,
12 because nothing else was asked for. That could easily be
13 expanded. Here's one for August.

14 It simply shows the number of cases, in what
15 species of animal, and what the toxin was--organophosphates,
16 strychnine, arsanilic acid, copper, thimet, lead, dieldrin,
17 chlorinated hydrocarbons, that's the kind of report. I did,
18 when DEQ was formed, this report has been going to Mr. Karch.
19 On the first report that I sent to him, I asked him if he
20 wanted them, but I assumed that he did because, as I
21 understood, it was required, and I never heard back from him.
22 So, that's what happened.

23 MR. MCMURRY: But you don't report the location
24 or the name of the party?

25 DR. SEATON: We have not, but we easily could.
26 You see, I was asking for his advice: Did he want it in
27 the first place, if he did, what did he want? And we'd be

1 happy to correct that.

2 DR. BUCK: Buck again. We send out, when
3 we send out a report on these cases, it is usually a letter
4 written to the veterinarian, and usually it will state on it
5 the case history, something about what happened, and the
6 diagnosis, not the diagnosis, but all that we did on it; all
7 the differential diagnosis, bacterial, viral pathology work,
8 and the chemical analysis, and then a diagnosis and why, what
9 basis we made the diagnosis. All of this would be in the
10 letter that we could easily send too a carbon copy, routinely,
11 to the DEQ.

12 DR. MAU: But this is sometimes long after the
13 event.

14 DR. BUCK: No, not long after because the
15 veterinarian has to know. Most of the time, though, if
16 it is a case where animals are dying, we will make the diagnosis
17 frequently over the telephone to the veterinarian, but we
18 could easily pick up the phone and call DEQ same time. No
19 problem there if that's what the DEQ wants, but they have not,
20 we've gotten no feedback on it.

21 MR. MCMURRY: I'm just trying to look at the
22 mechanics of

23 DR. SEATON: The DEQ should be notified as soon
24 as we first hear the case.

25 DR. MAU: Your points are well taken, and I think
26 something can, and probably should, be done along those lines.
27 And to help us on that, can you suggest some wordings that we

1 can look at? In other words that will, now a suspected
2 case which at some point it becomes more than suspect, and an
3 unsuspected case that you get into it and it becomes suspect,
4 can you work that into some suggested wordings in here so that
5 the reporting to DEQ is early enough so that the Department
6 of Agriculture, DEQ, Health Department, maybe in some cases,
7 I don't know where, but the Conservation and so on, can be
8 alerted, so they can make an investigation while the cause
9 is still somewhat apparent?

10 DR. BUCK: One suggestion that I would have,
11 Buck again, is that regardless of who gets it reported,
12 now occasionally some, either the DEQ or our Lab will get
13 reported, and the other one won't get the report. We ought
14 to have immediate communication between the two. That's
15 one thing. If the DEQ gets a report of a problem, do they
16 have the facilities with which to make a differential
17 diagnosis in animal medicine? I don't think they do, so
18 they should, I would think, immediately get in touch with
19 us, and we would assist them in that area.

20 DR. MAU: I think dual reporting could pose
21 some problems, but you could have in your wording, you could
22 suggest or require, that it all be reported, for example,
23 to Veterinary Diagnostic Lab, and that they shall then, at
24 some point, and I don't know how that will, how you would
25 say, that at some point where your suspicion becomes
26 reasonably well confirmed, that you notify DEQ. So you
27 know what the real problem is, and you ought to be able

1 to suggest some wordings that we can consider for this,
2 don't you think Dr. Seaton?

3 MR. YAPP: Yes, I think this is the heart of
4 the matter. I think we're going two different directions.

5 DR. SEATON: I think I agree with your stand,
6 Bob. If suspected cases should be reported to the Veterinary
7 Diagnostic Lab at Iowa State University, and they in turn
8 notify the DEQ, then we have solved the problem, because in
9 essence that's exactly what's happening now. The ten-year
10 experience that we have had is in operation, so that the
11 veterinarians think about us when they think about this kind
12 of a problem, and my point is it seems that it would be a
13 natural thing for them to continue to do that and as soon
14 as they call us, which they usually do when they suspect
15 this kind of thing, we could in turn call DEQ and give
16 them what information we have at that time. The DEQ then
17 could make their investigation. In the meantime, we're
18 getting animals, specimens, tissues, feed, water, or whatever;
19 and, we've been starting the analysis. So, it would seem
20 to me that as long as, in keeping with the spirit of one person
21 receives it and all know about it, if it were reported to us
22 and we in turn to the DEQ, I think we would have the best
23 of all worlds.

24 DR. MAU: Of course, this is a suspected
25 poisoning. Now, we come across these things where really
26 chemicals aren't suspected to start with, but you find out
27 that they at least played a part, and then we come to this

1 biological field, some of these I'm sure we had in mind when
2 this was being drafted, it's the things you add. I don't know
3 and if we're to be informed of the natural ones, like the
4 molds, there are two different categories. I mean there
5 are the ones that are intentionally added and the ones which,
6 where there's poor management or handling or something, that's
7 nature's result, but I mean there's, this is quite a, there's
8 four or five aspects in here, and how some of these things
9 get worded for reporting and follow-up; that's the important
10 thing.

11 MR. YAPP: I don't, I expect it should be an
12 all-in-one report.

13 DR. MAU: Yes, but I meant the

14 MR. YAPP: If it's the chemical part, then we
15 can turn ourselves, if it's the biological or molds or
16 something, why then it's someone else's. I think we can
17 get too much paper flowing here if we're not careful.
18 Suspect, I mean, this is, how many suspects do we get? I
19 mean what is the level of reporting of actual poisonings?
20 What performance do we get at that point now?

21 DR. BUCK: Everything becomes suspect.

22 DR. SEATON: Everything could be suspect.

23 MR. YAPP: That's right, and that gets to be . . .

24 DR. SEATON: Mr. Chairman, that's the point that
25 I think I made rather poorly a while ago. We're talking
26 about a whole wide world of things and sooner or later someone
27 has to make a judgement. Now, at the risk of sounding most

1 egotistical, which I certainly don't want to, it seems
2 like we're in a pretty good position to make that kind of
3 judgement based on what we're already doing. We can err.
4 I don't think that we can't. But, somewhere somebody's
5 got to decide that this is a serious suspect or it is one
6 that we really can check on here. But, we, at this stage
7 don't really think it's that serious to get all several
8 agencies involved out there doing a field investigation.
9 I think the judgement has to be made, and I would assume
10 it would be made in the same manner that we make them now.

11 DR. MAU: That's what I say. Under this
12 suspected poisoning, can you suggest some wording whereby
13 it's where the suspicion is really first pretty clearly
14 defined, directed towards one of these agents?

15 MR. BROWN: I think I'd like to say something
16 here. I do believe we're kind of getting off the track
17 of the purpose of this hearing.

18 I think, perhaps, you know you delineated
19 two real problems you have. Number one is the matter of
20 the reporting function and apparently the gentlemen from
21 the Veterinary Diagnostic Lab have some problems reporting
22 as required in the rules and, in addition, that we have
23 the question of whether a suspected poisoning case at some
24 point becomes worthy of reporting or whether it is not.

25 And I think that perhaps I would suggest that
26 in terms of the wording for the rules in regard to the
27 reporting requirement, as to who should report might properly

1 be something that all of us could give some consideration
2 to in terms of proper wording. As I mentioned previously,
3 the record of this hearing will remain open for ten days
4 after this hearing, and anyone who feels that they have
5 some wording that would be more appropriate than that
6 which is presently proposed, I would suggest should perhaps
7 jot it down on a piece of paper, and submit it to Dr. Campbell's
8 attention.

9 The other matter I think might also be addressed
10 in the same way, although I would suggest that perhaps to
11 some degree that's a matter of internal departmental agree-
12 ments between the Veterinary Diagnostic Lab and the Department
13 of Environmental Quality, and not necessarily a subject of
14 a rule. So, I think that probably between those two things
15 we can take care of most of the problems that are going
16 to be rather difficult to resolve at this hearing.

17 DR. BUCK: May I make a comment? Buck, again.
18 I would, just on general principle, make a suggestion that
19 you remove the term "biological". Maybe at a later time,
20 if it works, if it were working on the chemical all right,
21 then the biological we could perhaps add to it. The reason
22 I say this, cyanide for instance, prussic acid in sorghums,
23 nitrates in most, lots of, weeds, your molds, toxins and
24 bacterial toxins, are all things that right now I don't
25 believe the DEQ is really interested in. I'm pretty sure
26 the EPA is not. Maybe the nitrates you are, but perhaps
27 if you remove biological, then you would have a workable

1 regulation.

2 And then the other thing is to make some kind
3 of a statement that those cases which, with reasonable
4 medical certainty, involve an agricultural chemical or
5 involve a chemical, we would report immediately to the DEQ.

6 DR. MAU: Of course, that's why I made, raised
7 the point. I think if it's actually added, a biological
8 compound added, then we are definitely interested. Of
9 course these others, we probably aren't. Now, what does
10 our, what does the law direct us to do? Doesn't it say
11 biological, too?

12 DR. CAMPBELL: Well, sir, I'll read the segment.
13 "The Commission shall, by rule, after public hearing, following
14 due notice, require that all veterinarians licensed and
15 practicing veterinary medicine in the State promptly report
16 any case of domestic livestock poisoning, or suspected
17 poisoning, to the Executive Director and to the Veterinary
18 Diagnostic Laboratory at Iowa State University of Science
19 and Technology." So, they just say poisoning. O.K. The
20 Commission in their draft, earlier drafts, inserted the
21 biological and chemical more or less as a definition of what
22 the cause of the poisoning.

23 MR. YAPP: Who had inputs in this rule, Dr.
24 Campbell, before it's in the state that it is here? Did,
25 was this circulated among the Iowa State people?

26 DR. CAMPBELL: No, this was not. The Commission
27 is the only one, and the Commission staff were the only ones

1 who worked on this. We got a hearing draft. When the
2 Commission was satisfied, we sent it out for a hearing
3 draft. It has been widely circulated.

4 DR. MAU: Of course, then the question comes
5 up, can we, can a rule or regulation require the reporting
6 to that's different than what the law directs, or do we
7 go back and ask that the Legislature change the law? Or can
8 we word it such that the Diagnostic Laboratory reports
9 directly to us?

10 DR. CAMPBELL: I don't know. I'll yield to Mr.
11 Brown on this legal point, but it seems to me that a, an
12 administrative function, we might be able to work out some
13 sort of report form, whereby only one, the involved person,
14 need make only one report. The departments take it from
15 there, and meet the letter of the law.

16 MR. BROWN: Hurrying on ahead, I think I would
17 have to say that we might be able to reword the rule to
18 indicate that the reporting must be made to the Department,
19 the Diagnostic Laboratory and that they in turn shall report
20 to the Department of Environmental Quality so that would
21 in fact in the rules suggest that both people must be
22 informed, it would merely establish a different route by
23 which both people are informed, and I don't think that would
24 really violate the spirit or the letter of the law in that
25 regard. I might stand corrected by the Attorney General's
26 office in a few weeks, but we can take that chance. I don't
27 think there's too much problem.

1 MR. MCMURRY: I think it's a little matter
2 for administrative workout.

3 MR. BROWN: Well, gentlemen, are there any
4 more comments in regard to these rules?

5 DR. BUCK: I might make a comment about this
6 statement that is in the law. Poisoning in animals, or
7 livestock poisoning, could include anything from pigweed
8 poisoning in pigs, many of our weed poisons, on up to
9 holding a pig off water, which we call water deprivation,
10 sodium ion toxicity. So, it seems to me that this board,
11 this Commission, could still in the letter of the law
12 require the reporting of certain types of poisons, and still
13 be within that law. It wouldn't be over-extending the law,
14 but under-extending, would be what they would be doing.

15 DR. MAU: But, Dr. Buck, if you go back over to the
16 the initial definitions, it's agricultural chemicals means
17 pesticides you find in Subsection 3, it also means any
18 feed or soil additive other than a pesticide designed
19 for use and used to promote the growth of plants or animals;
20 and pesticides, then of course you know what that is. That
21 doesn't include these natural things like molds and pigweed,
22 it means the things you add. So, when you come over here
23 to these, to this Section 103, or 1, 2, 3, and 4; and four
24 is the one we're actually talking about. Why, it has to
25 refer back over to these other two, and there again the
26 wording that we have should include biological additives,
27 but not the natural biological decomposition or growth products.

1 DR. BUCK: Well, if you said biological additives,
2 you'd be all right.

3 DR. MAU: Yes, right. Well, that's why we're
4 suggesting that you, your objections are well taken, or
5 your comments, I should say, because they're for improvements.
6 Why, you're aware of these things, and we're going to think
7 about it too, but give us some wordings, too.

8 DR. CAMPBELL: Does anyone wish to make a
9 recommendation to the Commission that they address themselves
10 to a, at least a partial, definition of poisoning?

11 DR. BUCK: Yes, we sure would.

12 MR. BROWN: I believe that would be an appropriate
13 subject again for written comments. It would appear to be
14 as appropriate as attempting to conjure one up at this
15 hearing, especially. I would suggest, then, that those of
16 you who have expressed concern about particular aspects of
17 these rules would give consideration to alternatives that you
18 could suggest to the Commission for their consideration and
19 final adoption, and I would ask one more time if in fact
20 there is any further comment in regard to these rules.
21 Hearing no further comments, I would then Yes sir?

22 MYRON VAN CLEAVE
23 Director, Pesticide Division
24 Department of Agriculture
25 State House
26 Des Moines, Iowa

25 MR. VAN CLEAVE: I don't whether this, I don't
26 know whether , I'm Myron Van Cleave of the Department
27 of Agriculture. There's one thing that, echoing what Larry

1 Anderson said, there's one thing that I think we'd better
2 be cautious about in investigations, I hope. There's
3 nothing more confusing, as I've done investigations, there's
4 nothing more confusing to the person investigated if you get
5 two, three agencies trying to investigate the same thing,
6 and this quite often does more harm, too much than you
7 can really rectify.

8 DR. MAU: Myron, are you thinking if they came
9 in at different times, or if they were there as a group,
10 at one time?

11 MR. VAN CLEAVE: We've had a general rule,
12 we got a general rule as far as our investigation work is,
13 that we try not to ever take more than two people out on a
14 thing because the people who are involved in these things,
15 get overwhelmed somewhat when a number of people come to talk
16 to them.

17 DR. MAU: Well, that's something to think about
18 too. But, perhaps before anybody goes out, why it ought
19 to be decided which are the possible factors and if it's
20 just one or two groups if they go together

21 MR. ANDERSON: This is what I tried to bring out
22 on coordination. Somebody needs to coordinate and know who's
23 going out there and make arrangements that they are going,
24 and three or four people have to go. If they go together
25 instead of stringing it out over several days.

26 DR. MAU: For example, once you've made a diagnosis
27 and know about what you think it is, of course, subject to

1 later confirmation, but at this stage, you just about know
2 what factors need to be really looked into and if it's one
3 group or two or three agencies so they can all go and get
4 together, or at least discuss it in advance, so the ones
5 that do go know the things to look into, so it's a coordinated
6 effort and not everybody coming in at different times and
7 making different statements. So that's another thing that's
8 involved.

9 MR. CHOQUETTE: May I comment? I was wondering
10 what's the time limit on investigating these? Is that
11 important? Or depending on the type of poisoning, maybe
12 somebody should be out there immediately, and other you could
13 let go for a week. I was wondering how important this is
14 in terms of the reporting subject.

15 DR. MAU: I think these things have to be decided
16 when, some things like this, the vets call in and they
17 want to know immediately. In fact, they wanted to know when
18 they sent the sample in. Other things are really after the
19 fact, and the whole damage is done and whether it's determined
20 a month later, but I think that's professional judgement once
21 the case comes to light. I don't, I think it would be very
22 difficult to put that all in a rule because every case is
23 different.

24 MR. YAPP: Well, this rule, of course, affects
25 the DEQ and the Diagnostic Lab. Dr. Wertman, your comments
26 are fairly representative of the practicing veterinarian?

27 DR. WERTMAN: I believe so, yes.

1 MR. YAPP: Because other people are going to have
2 to do this, you know.

3 DR. WERTMAN: We're concerned about it, especially
4 the suspect procedure. We don't want to be in violation
5 of any proposed rules. I daresay that, when you're diagnosing
6 sick livestock, many times those things will run through
7 your mind, and as far as the, at what stage this reporting
8 on the length of time, I think these are all individual
9 cases. Each case will be a different time limit on it as
10 they come up. The dramatic cases you wouldn't have any
11 problem with, I'm sure the reporting will be done right
12 away on those.

13 DR. BUCK: Dr. Buck, again. I'd like to suggest
14 that also there be fairly complete communications between
15 the DEQ's final report and, if they are coordinating the
16 investigations, the final investigation, the report that
17 comes out of that should, we would like to have a copy because
18 we use this stuff for teaching materials and compile it for
19 putting in textbooks, and making reports to other states
20 in my area of toxicology. By the same kind of token, we
21 would make reports to them. We would really like to see
22 the DEQ make reports back to us on investigations that they
23 make. Or final report.

24 DR. MAU: Well, I would think that that's would
25 all be subject to review by before any final report came
26 out because the lab aspects are certainly a major thing,
27 but some field aspects are something else, and I would expect,

1 before any final report came out, that every agency that
2 has any involvement at all would have an opportunity to
3 review drafts and get them so they're as close to technically
4 sound statements as possible from every aspect.

5 MR. YAPP: Of course, I think field inspections
6 are useless until we have this information out of the
7 Diagnostic Laboratory. We can harass people all we want, you
8 know, but, unless we have some fact to deal with,

9 DR. BUCK: Well, there are cases, there might be
10 a case where for instance, a bunch of animals are sick
11 and some are dying and the farmer and the veterinarian, they
12 may suspect an infectious agent, but they submit the feed
13 along with the case and we recognize that we're dealing with
14 a toxicity, say like lead, and we analyze the feed and we
15 find high levels of lead and that's all we have, and we
16 report this immediately to DEQ. Well, the DEQ, hopefully,
17 somebody, would then be asked to go and make an investigation
18 as to where this lead came from. That's when it would be
19 real good if we then found out where it came from if it was
20 ever found out. That's where we are lacking information now.

21 DR. MAU: Of couse, if that isn't done, every,
22 the value of the work is lost, because the idea is to
23 disseminate the information and as factually as possible to
24 everybody that could possibly have any involvement.

25 MR. ANDERSON: Anderson speaking again. On
26 the other hand, sometimes wouldn't it be valuable to you
27 to have some input on investigation as to what you are actually

1 looking for in the lab? A preinvestigation.

2 DR. BUCK: Yes, and we would. We do this in
3 our reporting, when we report back to the veterinarian, we
4 tell him everything we did. I hope you didn't misunderstand
5 Dr. Seaton, we are not reporting that to the DEQ now.

6 DR. SEATON: Yes. The reason we aren't is
7 because we haven't, you know, we didn't know they wanted
8 to bother with it.

9 MR. BROWN: O.K. Fair enough. I think there's
10 two things we need to do here. Number one, it's quite
11 apparent that there are going to be some significant
12 necessary inputs on the part of the Diagnostic Laboratory
13 before these rules are finalized. In addition, I believe
14 that any comments that you have to make particularly in
15 regard to the wording of these rules, that that ought to
16 be done within the next ten days so we can include those as
17 part of the hearing record and take them into consideration.
18 Finally, I'd like to suggest that a number of things again,
19 as I said before, appear to be things that are going to have
20 to be worked out in terms of procedure and implementation
21 of these rules, and probably result in head to head
22 confrontation between the various staffs. So I think
23 that can pretty well resolve itself. Assuming then that
24 there probably are no further questions or comments to be
25 made, I declare that this hearing is adjourned, and I turn
26 the meeting back over to Dr. Mau.

27

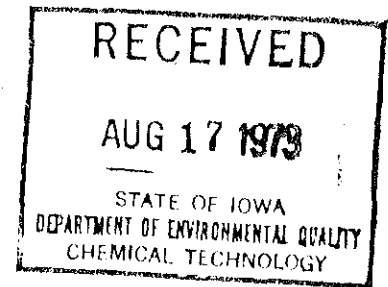
Iowa Department of Agriculture

R. H. LOUNSBERRY
SECRETARY OF AGRICULTURE



THATCHER JOHNSON
DEPUTY SECRETARY OF AGRICULTURE

STATE CAPITOL
DES MOINES, IOWA 50319



August 16, 1973

Dr. C. L. Campbell
Dept. of Environmental Quality
L O C A L

Dear Dr. Campbell:

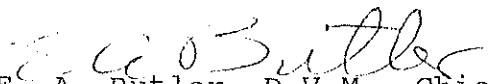
I have reviewed the first draft of the proposed rules concerning livestock poisoning. It seems to me that the reports of livestock poisoning should come to the Animal Industry Division of the Department of Agriculture rather than to the Executive Director of the Veterinary Diagnostic Laboratory at Iowa State University.

The Animal Industry Division has daily contact with many practicing veterinarians. They have nine District Veterinarians assigned to the various areas of the state and are certainly closer to the day to day practice of veterinarians than the Diagnostic Lab.

I have discussed this matter with Dr. Seaton and he agrees that reporting to the Diagnostic Laboratory would not be meaningful in a majority of cases. I am sure that we would want reporting from the Diagnostic Laboratory to the DEQ and to the Animal Industry Division also.

If a written report has to be submitted by veterinarians in the case of poisoning or suspected poisoning, the report blanks should be sent out to each practicing veterinarian for consideration.

Yours very truly,


E. A. Butler, D.V.M., Chief
Division of Animal Industry

EAB:njb

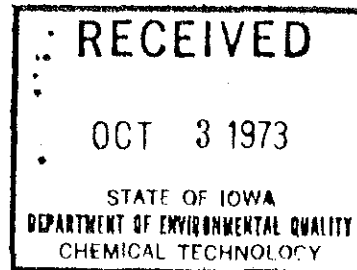
IOWA STATE UNIVERSITY
OF SCIENCE AND TECHNOLOGY
Ames, Iowa 50010

COLLEGE OF VETERINARY MEDICINE
VETERINARY DIAGNOSTIC LABORATORY

TELEPHONE
AREA CODE 515
294-1960

October 2, 1973

Doctor C. L. Campbell,
Director, Chemical Technology Division
Department of Environmental Quality
Des Moines, Iowa



Dear Doctor Campbell:

Thank you for the copy of the proposed rules relating to the reporting of cases of poisoning in domestic livestock.

Recognizing that the Veterinary Diagnostic Laboratory is not a regulatory laboratory in the strict sense of the word, I have question as to the need to have animal poisoning cases reported to the Veterinary Diagnostic Laboratory other than for informational purposes. We are of course, very active in suspected animal poisoning cases submitted to us. Our goal is diagnostic and in the area of prevention of recurrence, however and not necessarily regulatory in nature.

The other aspect of the proposed rules that bother me is the requirement of practicing veterinarians to report to the DEQ and the Veterinary Diagnostic Laboratory all suspected cases of poisoning. However laudable that provision may be, I'm not suffering under the illusion that it will be well complied with and consistently followed. I say this not in criticism of the practicing veterinarian but as a comment on human nature. The volume of animal diagnostic problems in which the suspicion of a toxicity may be involved is quite voluminous. Most are found not to be the result of a toxicant after considerable differential diagnostic endeavor. At what point in the sequence of diagnostic events would a veterinarian be in violation?

I'm sure you recall the difficulty that the State Department of Health has had over the years in having physicians consistently report the presence of infectious diseases to the Health Department. I view this proposed rule in the same light and with the same attendant difficulties.

It is not my intent to appear negative to the proposed rules but to merely express a bit of realistic doubt as to the need for either known or suspected cases to be reported to the Veterinary Diagnostic Laboratory. If it is deemed necessary to report known cases, I question the need to report the suspected cases.

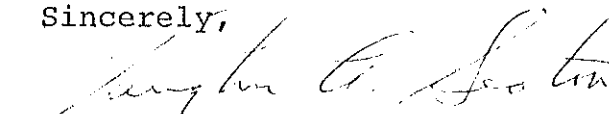
In the normal course of events this Laboratory receives many suspected poisoning cases in a years time from practicing veterinarians. Differential diagnostic procedures are instituted to either confirm or deny such suspicion. It seems to me that it would suffice if we reported to you those confirmed cases of known toxicity in order that proper follow-up and epidemiologic definition of the problem might logically follow. It strikes me that little is to be gained in pursuing suspicious cases until they have been submitted to us and confirmed.

Would this not fulfill the purposes of the DEQ in protecting the public health? Would this not be better than to promulgate rules such as reporting suspected cases by practicing veterinarians which may not be consistently followed?

Please accept these concerns as food for thought while in the rules making process and not as an objection to the rules intent.

Should you wish to discuss the matter further, please call on me.

Sincerely,



Vaughn A. Seaton, D.V.M.
Professor and Head

VAS:bat

October 25, 1973

Iowa State Department of Environmental Quality
P. O. Box 3326
Des Moines, Iowa

Gentlemen:

The following concerns the amendments to the rules concerning agricultural chemicals. The diagnostic laboratories at Iowa State University presently should be receiving information on these matters, so I question the need to upgrade this reporting. From past newspaper articles on poisoning in the wildlife area, very little has been done to those contributing firms or individuals as fines or punishment.

What this amounts to is that more jobs are created and more paperwork for the practicing veterinarian. We need to direct our efforts in more meaningful endeavors.

Sincerely,

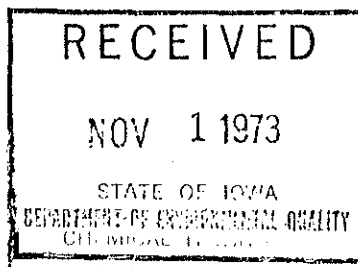
/s/ Louis P. Ducommun
P. O. Box 151
Cleghorn, Iowa 51014

Iowa Veterinary Medical Association

Established in 1883

826 Fleming Building • Des Moines, Iowa 50309

Phone 282-5171

J. R. ROSDALE, D. V. M.
PRESIDENTJAMES T. YODER, D. V. M.
PRESIDENT ELECT.M. H. LANG, D. V. M.
VICE-PRESIDENTF. D. WERTMAN, D. V. M.
EXECUTIVE DIRECTOR

October 31, 1973

Dr. C. L. Campbell, Director
Chemical Division
Department of Environmental Quality
Lucas State Office Building
Des Moines, Iowa 50319

Dear Dr. Campbell:

The officers of the Iowa Veterinary Medical Association have reviewed the proposed rules relating to reporting of livestock poisoning. The officers respectfully wish to express their concern for being required to report all suspected and positive diagnosed cases of poisoning.

The practicing veterinarian is called upon to diagnose many cases of illness each day. In his diagnostic process, poisoning or toxicity is always considered. This is only one of many disease factors that the practitioner considers when making a diagnosis. To reach a definite diagnosis, many times it is necessary to submit materials to a laboratory. The question now arises, at what point in the diagnostic process is it necessary for the veterinarian to phone and then write the report?

From a practical standpoint and past experience, we do not feel that practitioners will report suspected cases on a regular basis. The federal and state regulatory, and the Iowa Veterinary Medical Association agencies initiated a voluntary disease reporting program several years ago. The project proved unsatisfactory due to failure of reporting.

The Iowa Veterinary Medical Association supports the DEQ and the chemical division. We fully support the reporting of diagnosed cases of poisoning. We question the value of adopting rules requiring the reporting of suspected cases. We also believe that reporting cases to only one agency would receive more support from the practicing veterinarian. As we understand the present procedure followed by the Veterinary Diagnostic Laboratory at

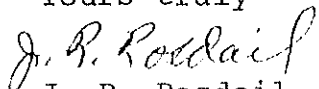
Dr. C. L. Campbell
Page 2
October 31, 1973

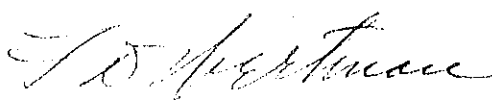
Ames, they presently forward to your office reports on all cases referred to the laboratory.

We therefore recommend that the rules be adopted that will require practicing veterinarians to report only positive diagnosed cases of poisoning and only to the Executive Director of DEQ.

We do not intend to be negative but feel that the reporting must be approached in a practical manner. We fully support and are willing to cooperate with the DEQ.

Yours truly


J. R. Rosdail, DVM
President, IVMA


F. D. Wertman, DVM
Executive Director, IVMA

Linn Animal Hospital

380 MARION BLVD.
MARION, IOWA

Pets, Horses and Large Animals

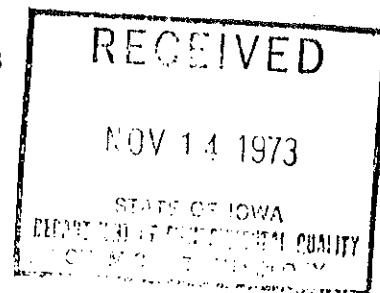


37

V. L. KLOPFENSTEIN, D.V.M.
L. A. WOGAHN, D.V.M.
T. L. MANGOLD, D.V.M.

377-4873

November 12, 1973



Chemical Technology Division
Iowa State Department of Environmental Quality
3920 Delaware Ave
P.O. Box 3326
Des Moines, Iowa 50316

Dear Sirs,

This letter is written to the Commission to reconsider two points of the amendments under consideration.

1. "or suspected poisoning" - There are many times we as practicing veterinarians suspect poisoning but I doubt that in each instance we should report these. Some examples are Warfarin Rx in dogs, salt Rx in animals or even Sodium Arsenate toxicity in swine - all chemicals - I think the practicing veterinarian has enough judgement to determine which ones to report.

2. I question why we need to report to two agencies. I would suggest only one because certainly those two will be working closely together.

I do want to thank the Commission however for these amendments. I do see additional paper work to us as practicing veterinarians but I feel will be an additional safeguard for earlier diagnosis and aid the practitioner.

I am sending these comments not only as a practicing veterinarian in general practice in a three man practice in Marion, Iowa, but also as President of the Eastern Iowa Veterinary Association.

Thanking you in advance for your cooperation, and I remain,

Sincerely yours,

V.L. Klopfenstein D.V.M.
V.L. Klopfenstein, D.V.M.

VLK/lbh
cc. Iowa State Senator
Ralph Potter
745 12th St.
Marion, Iowa 52302

IOWA STATE UNIVERSITY
OF SCIENCE AND TECHNOLOGY
Ames, Iowa 50010

COLLEGE OF VETERINARY MEDICINE
VETERINARY DIAGNOSTIC LABORATORY

TELEPHONE
AREA CODE 515
294-1950

November 19, 1973

C. L. Campbell, Ph.D.
Iowa Dept. of Environmental Quality
3920 Delaware Avenue
Des Moines, Iowa

Dear Doctor Campbell:

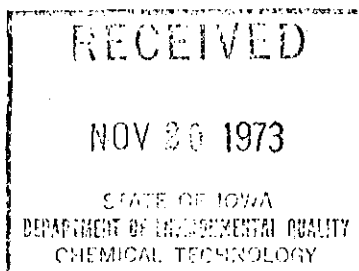
Enclosed is a copy of the proposed rules as
Dr. Buck and I are suggesting.

Notice also three copies of the Veterinary
Diagnostic Laboratory report form which all
veterinarians are furnished by us. We have
been using it for some time and believe it to
be quite satisfactory.

Sincerely,

Vaughn A. Seaton
Vaughn A. Seaton, D.V.M.
Professor & Head

VAS:pho



IOWA DEPARTMENT OF ENVIRONMENTAL QUALITY

Pursuant to authority of Sections 455B.101 and 455B.102 of the Code of Iowa, 1973, the following amendments to the rules of the Chemical Technology Commission of the Iowa Department of Environmental Quality relating to agricultural chemicals appearing in 1973 IDR, page 301, are proposed.

1. Insert after Section 35.4 the following new Section.

35.5 Reports of livestock poisoning. Any person practicing veterinary medicine under the provisions of Chapter 169 of the Code encountering a case of poisoning, or probable poisoning, of domestic livestock through injury from contact with, exposure to, or ingestion of any additive or chemical agent or compound, whether in the gaseous, liquid, or solid state, shall immediately report by telephone or telegraph such poisoning to the Veterinary Diagnostic Laboratory of Iowa State University. The Veterinary Diagnostic Laboratory shall report probable cases of poisoning to the Department of Environmental Quality upon notification. Final reports of all such poisoning cases including both laboratory and field investigation shall be exchanged immediately by the two agencies.

a. Verbal report. The verbal report of a case of such poisoning shall provide information on as many of the items listed in Paragraph 35.5b, below, as available data allows.

b. Written report. The written report of a case of such poisoning shall contain the following information on forms provided.

- (1) Location of incident
- (2) Time and date of incident
- (3) Number and type of livestock affected
- (4) Poison agent, known or suspected
- (5) Location of source of poisoning
- (6) Type and degree of poisoning
- (7) Name, mailing address, and telephone number of livestock owner
- (8) Whether release of poisoning agent in continuing

- 30 (9) Whether poisoning agent is on land or in water
- 31 (10) Any other information that may assist in eval-
- 32 uation of the incident
- 33 (11) Name and address of reporting veterinarian.

These rules are intended to implement Sections 455B.101
and 455B.102, Code of Iowa, 1973.

VETERINARY DIAGNOSTIC LABORATORY**COLLEGE OF VETERINARY MEDICINE****IOWA STATE UNIVERSITY****AMES, IOWA**Date **41**Assignment _____
(for laboratory use only)

Veterinarian _____ Date submitted _____

Address _____ City _____ State _____

Veterinarian ☐ Mail ☐Office phone _____ Phone collect? _____ Delivered by: Owner ☐ Other _____

**YOUR COOPERATION IN PROVIDING AS MUCH OF THE FOLLOWING INFORMATION
AS POSSIBLE WILL GREATLY ASSIST THE LABORATORY PERSONNEL**

HISTORY

Owner _____ Address _____

Species _____ Breed _____ Age or Weight _____ Sex _____

Number in herd (flock): _____ Number sick: _____ Number dead: _____

Home raised? _____ Purchased? _____ Date purchased? _____

First noticed sick? _____

Clinical signs? (include temperatures) _____

Vaccination history? (include dates) _____

Treatment and response? _____

Postmortem findings? _____

Tentative diagnosis? _____

Intact Animals

Specimen(s) (circle where appropriate)

Number of animals
submitted alive:

Kidney - Liver - Intestines - Lung - Blood - Serum - Tumor

Feed - Water - Other

Number of animals
submitted dead:

If tumor, give location and size

EXAMINATION(S) REQUESTED

Bacteriology and antibiotic sensitivity? Pathologic examination?

Histopathology Parasitology Virology Serology

Toxicology Toxic agent(s) suspected

Other (specify)

Rabies Human exposure? Yes No Date of exposure

When did animal die? Was animal destroyed?

ADDITIONAL INFORMATION FOR RABIES SUSPECT ---- HUMAN EXPOSURE

Name of person exposed Age

Exposed person's address

Family physician

Physician's address

Site of bite or exposure

Additional remarks: (additional history, signs, lesions, instructions, clinical pathology, etc.)

Des Moines Sunday Register
Oct. 7, 1973

Official Publication

2

NOTICE ON PUBLIC HEARING on agricultural chemicals and specifically on proposed rules relating to reporting of poisoning of domestic livestock.

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Iowa Chemical Technology Commission at 10:00 a.m. on the 13th day of November, 1973, in Conference Room C, Iowa Department of Environmental Quality, 3920 Delaware Avenue, Des Moines, Iowa, for the purpose of receiving statements concerning agricultural chemicals and specifically concerning the reporting of poisoning of domestic livestock.

This hearing is being held pursuant to Chapter 455 B, Code of Iowa, 1973, which empowers the Commission to adopt rules relating to the sale, use, and misuse of agricultural chemicals.

The proposed rules are on file in the office of the Department of Environmental Quality, 3920 Delaware Avenue, P.O. Box 3326, Des Moines, Iowa 50316, and copies are available from that office. Written statements and verbal comments relating to the proposed rules are solicited, but must be limited to reporting of poisoning of domestic livestock. Time limits may be set on all presentations so that all interested parties may be heard.

Published upon direction of the Department of Environmental Quality.
By: Kenneth M. Karch, Executive Director

ATTEST: October 1, 1973
By: C. L. Campbell, Director, Chemical Technology Division

Des Moines Sunday Register
Oct. 14, 1973

Official Publications

2

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Published upon direction of the Department of Environmental Quality.
By: Kenneth M. Karch, Executive Director

ATTEST: October 1, 1973
By: C. L. Campbell, Director, Chemical Technology Division
(This is a repeat of a previous notice.)

Des Moines Sunday Register
Oct. 21, 1973

Official Publications

2

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Published upon direction of the Department of Environmental Quality.
By: Kenneth M. Karch, Executive Director

ATTEST: October 1, 1973
By: C. L. Campbell, Director, Chemical Technology Division
(This is a repeat of a previous notice.)

IOWA PRESS
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Des Moines, Iowa

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Elgin, Iowa

OCT 25 1973

H. L. Heying Reports

The Iowa Chemical Technology Commission has scheduled a public hearing as a part of procedures for establishing rules and regulations relating to reporting of poisoning of domestic livestock. This hearing will convene at 10:00 a.m. of the 13th day of November 1973, in Conference Room C, Iowa Department of Environmental Quality, 3920 Delaware Avenue, Des Moines, Ia.

Anyone wishing to attend is welcome. Anyone wishing to present some verbal comments should send them to the above address before Nov. 1st, so that they can be included in the program. Comments that day will be recorded and used to arrive at some conclusions.

The department will adopt their additional rules that day. Veterinarians should have some representation there that day as some of the new rules concern them in particular.

IOWA PRESS
CLIPPING BUREAU
Des Moines, Iowa

Journal
Decorah, Iowa
Cir. 6,435

IOWA PRESS
CLIPPING BUREAU
Des Moines, Iowa

42

County Leader
Fayette, Iowa

OCT 24 1973

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The department will adopt their additional rules that day. Veterinarians should have some representation there that day as some of the new rules concern them in particular.

Hearing Set On Livestock Poison Rules

The Iowa Chemical Technology Commission has scheduled a public hearing as a part of procedures for establishing rules and regulations relating to reporting of poisoning of domestic livestock.

This hearing will convene at 10 a.m. Tuesday, November 13 in Conference Room C, Iowa Department of Environmental Quality, 3920 Delaware Avenue, Des Moines.

Anyone wishing to attend is

welcome. Anyone wishing to present some verbal comments should send them to the above address before Nov. 1 so that they can be included in the program. Comments that day will be recorded and used to arrive at some conclusions.

The department will adopt their additional rules that day. Veterinarians should have some representation there that day as some of the new rules concern them in particular.

Des Moines Register Page 6
Dec. 13, 1973

Livestock Water Poison Plan Set

Veterinarians will be required to report livestock poisonings under proposed state regulations designed to control stream contamination, according to Department of Environmental Quality officials.

The department's Chemical Technology Commission will hold a public hearing today on regulations requiring veterinarians to report livestock poisonings to the department or the Veterinary Diagnostic Laboratory at Ames.

The hearing will be at 10 a.m. in the department headquarters at 3920 Delaware Ave.

Administrator James Brown said the reporting is intended to call attention to poisonings resulting from contaminated water. Brown said speedy reporting would enable the department to prevent additional poisonings downstream.

IOWA PRESS
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Des Moines, Iowa

Daily Tribune
Ames, Iowa 50010
Cir. 9,130

NOV 14 1973

Animal poisoning barometer of overall environment

DES MOINES (UPI) — In an effort to closely monitor the state's environment, the Iowa Chemical Technology Commission Tuesday considered stringent rules requiring veterinarians to report all accidental livestock poisonings to the state.

The proposed rules, which won the support of environmental and agricultural officials at a commission hearing, would require reporting of all livestock poisonings and give the state agency a barometer on the possible impact of various poisoning agents on the overall environment.

Dr. William Buck, veterinary toxicologist at the Iowa State University Veterinary Diagnostic Laboratory, said about 2,500 suspected accidental livestock poisonings are reported to the lab annually with only about 500 confirmed poisonings.

He said, however, that the animal poisonings could be the first clue to conditions that could be harmful to humans.

"The livestock animal is the best monitor of our environment today," Buck said. "As more industries come into Iowa, we can assess the environmental contamination by its effect on the animals and plants in the vicinity of industrial plants."

Buck said the ISU diagnostic lab has been a

national leader in probing the relationship between livestock poisoning and environmental quality. He said the accidental poisoning of livestock takes many forms, including polluted drinking water, mold in feed, toxic weeds, dangerous herbicides and pesticides, lead poisoning and harmful feed additives.

The commission, an arm of the state Department of Environmental Quality (DEQ), is expected to act on the rules requiring veterinarians to report livestock poisonings before the first of the year. In the past poisonings have only been reported to the diagnostic lab in Ames.

State law now requires that a report be made to the commission in an effort to determine the extent of poisonings in Iowa.

1 I, Gwen Elaine Yazel, the Reporter, certify that
2 the foregoing proceedings were stenographically and
3 electronically reported by me and thereafter reduced to
4 typewriting by me; that said transcript is true and correct.

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8 (Reporter)
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