



Dear Members of the Texas House and Senate: As you may know, last week State District Judge Jan Soifer issued a temporary restraining order enjoining Texas Agriculture Commissioner Sid Miller and the Texas Department of Agriculture from implementing the “emergency rule” that they had issued to try to facilitate the use of rat poison across Texas lands for feral hogs. Specifically, the court ruling stated in part that Defendants Sid Miller and the Department “did not follow the requirements of the Texas Administrative Procedure Act . . . and so therefore the rule is invalid.”

My company, Wild Boar Meats, LLC, brought that lawsuit. But opposition to Commission Miller’s rule is very widespread. The plan to have poisoned feral hogs roaming across Texas lands is just a bad idea. A broad coalition joined my lawsuit, including Texas Hog Hunters Association and the Environmental Defense Fund. Over 15,000 Texas hog hunters signed the petition against Miller’s rule. The Texas Wildlife Association has also issued a statement in opposition to the proposed plan to spread rat poison (warfarin or Kaput®) across Texas lands.

If we don’t stop Sid Miller’s program, it will hurt Texas hunters, ranchers and other landowners, wildlife, and the environment. I and my company have studied and researched feral-hog control for years. We’ve consulted with the best experts in the country. Here are the facts:

*Warfarin is rat poison. It’s an anti-coagulant that causes animals to “bleed out” in a lengthy, painful death. It takes up to 10 days for a poisoned hog to die. A hog can travel 5 to 20 miles a day. A poisoned hog bleeds until dead—blood oozes out the nostrils and other body orifices. It’s a gruesome, inhumane death. Even Australia, which experimented with warfarin for feral hogs, banned use of warfarin.

*If Miller’s program proceeds, in effect he will flood Texas lands with rat poison. Hunters will be at risk that they will kill and eat poisoned hogs. Ranchers will be at risk that the hogs will die on their property without their knowledge (—hogs can travel 5 to 20 miles a day), and wildlife and even dogs can feed on their carcasses. Poisoned hogs can die in waterways. A landowner who uses the poison on one ranch will be sending herds of poisoned hogs onto surrounding properties. I submit that no Texas landowners

want to find poisoned hog carcasses on their land. Also, poisoned hogs lose fluids, they are unable to quench their thirst—so it's likely they will end up in and near water sources, stock tanks, creeks, rivers. As the Kaput® label says: “Environmental Hazards This product may be toxic to fish, birds and other wildlife. Dogs and other predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have eaten the bait.” Scimetrics made that statement under penalty of federal law—it had to be true.

*The program will damage Texas hunters, the feral-hog meat industry, ranchers and other landowners, wildlife, and the environment. The feral-hog meat industry is a multimillion dollar business for Texas. Rural hunters (including farmers, ranchers, blue collar worker) earn money or supplement their income by harvesting feral hogs. They sell them to hog stations, who then sell them to businesses like mine, who process the meat for human consumption or pet food products. And byproducts are used to make boots and many other products. The U.S. feral-hog industry sells millions of dollars of feral meet overseas, to countries in Asia and Europe. That's good for the U.S. economy, jobs, and trade balance. Sid Miller's rule jeopardizes all of that. Contracts have already been put on hold because of the uncertainty and concern created by the rule.

*The proposal to use warfarin would benefit only one, sole-source provider, a Colorado company, Scimetrics Ltd. Corp. Its warfarin product is known as Kaput®. Commissioner Miller issued the rule as an emergency rule, without public comment or public input. TDA did not conduct a single study of its own before rushing out this program to benefit that one company. Miller issued the rule illegally, as the Court has now ruled, in violation of the Texas Administrative Procedure Act. That sequence of events looks suspicious.

*The manufacturer's recommended “safeguards” are totally inadequate to prevent exposure of livestock and wildlife to this rat poison, warfarin. The proposed bait stations have only an 8 to 10-pound lid. Raccoons can lift 28 pounds, cattle, goats, and deer can lift 10 pounds easily. So can human children. In short, it is guaranteed that the warfarin poison will be eaten by other animals, both livestock and wildlife.

*Eventually the meat of a warfarin-poisoned animal turns blue. Can you imagine what will happen to the Texas cattle industry when blue carcasses start turning up? It will make the mad-cow-disease catastrophe look small by comparison.

*Sid Miller cited Australia's experiment with warfarin. But he omitted the truth: Australia abandoned the program because it results in cruel, painful, messy deaths, and creates risks of poison to other species.

*Bottom line, economically: The program will severely damage multi-million dollar industries in Texas, including hunters, trappers, hunting-supply businesses, sporting-goods stores, hunting guides, feral-hog meat processors, food vendors, the pet-food

industry, and on and on. The economic damage from this program will be massive. Frankly, it already has been. It is costing my business and similar businesses substantial loss and business problems every day.

*In fact, the program will damage feral-hog control in Texas rather than assist feral-hog control. The traditional, established, proven methods of feral-hog control, including hunting and trapping, will be damaged and reduced. The result will increase, rather than decrease, the number of feral hogs in Texas.

*We should ramp up use of existing, proven methods of feral-hog control—trapping and hunting. Texas should have a Rapid Response Network, so that if a farmer or rancher has a sudden influx of feral hogs, Texas can guarantee that within 24 hours trappers (in rural or urban areas) or hunters (in rural areas) will be on the ground. That's safe, effective, proven.

I would deeply appreciate it if you would consider supporting the legislation that Rep. Stucky—who is a veterinarian—and Senator Watson have introduced (HB 3451 and SB 1454). The 100,000+ members of the THHA (including the over 15,000 who have already signed the petition) will be extremely grateful for your help.

Please feel free to call me at any time if you have any questions or if I can be of any assistance.

Sincerely,

William Herring
Wild Boar Meats, LLC