



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

Registration and Request to Speak at the

**Department of State Health Services Council Meeting
Thursday, April 10, 2008
Austin, Texas**

Registration forms MUST be turned in before the beginning of the meeting.

Please Print

I wish to appear before the Department of State Health Services Council to speak on the following agenda topic(s) (Please list agenda title(s) or number(s)):

Summary of Comments:

Registrant information:

Please PRINT clearly

NAME: JULIE WISDOM-WILD
ADDRESS: 300 E. MULBERRY
CITY: SAN ANTONIO STATE: TX ZIP: 78212
PHONE NUMBER: (512) 953822 REPRESENTING: ALPHA HOME

Signature: Julie Wisdom-Wild

Date: 4/10/2008

To Comment:

1. Register by completing the form.
2. Turn the form in before the start of the meeting.
3. Wait for the chairman to call on you.
4. Limit your comments to three minutes.
5. Individuals cannot accumulate time from other speakers.



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Summary of Comments:

encourage support of increased substance abuse prevention, treatment & recovery services as a priority exceptional item in the 2010/11 LAR. Request: \$30M

Registrant information:

Please PRINT clearly

Form with fields for NAME, ADDRESS, CITY, STATE, ZIP, and PHONE NUMBER, containing handwritten information for Cynthia Humphrey.

Signature: Cynthia Humphrey

Date: 4/10/08

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Ref: Emergency Rule Summary of Comments: Concerning contaminated turtle harvest. Item not on agenda

Registrant information:

Please PRINT clearly

Form with fields for NAME, ADDRESS, CITY, STATE, ZIP, PHONE NUMBER, and REPRESENTING. Handwritten entries include: NAME: Adrian F. Van Dellen, ADDRESS: 48 Campers Cove Rd., CITY: Woodville, STATE: TX, ZIP: 75979, PHONE NUMBER: 409 331 4406, REPRESENTING: Piney Woods Survival Club.

Signature: Adrian F. Van Dellen Date: 10 April 08

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TDSHS April 10, 2008 Meeting in Austin, Texas

**Presenter: Adrian F. Van Dellen, Woodville, TX – Representing Piney Woods
Regional Sierra Club Group**

I am here to request that the Texas Department of State Health Services enact an emergency rule prohibiting the commercial harvest of freshwater turtles from private lands, because there is a health risk to people eating turtles contaminated with aquatic toxins, including methyl mercury, PCBs and various pesticides.

TDSHS now allows people to harvest and consume turtles from private waters, and to eat turtles taken from streams with fish consumption bans. In these streams it is illegal to harvest and consume fish, but it is not illegal to capture and consume turtle.

The medical community affirms our request. TDSHS received letters from numerous doctors, requesting closure of turtle harvest from both private and public waters in Texas.

Last year, Texas Parks & Wildlife Department published a final rule closing turtle harvest from public waters, but allowed commercial harvest of turtles from private waters to be sold as food. However, published scientific literature shows that private waters produce turtles that are contaminated with carcinogenic pesticides and methyl mercury. This new law passed last year is difficult to enforce, as there is no way to distinguish a turtle harvested from public or private waters.

Due to the existence of imminent peril to human health, on March 26th of this year the Center for Food Safety, Texas Sierra Club and the Center for Biological Diversity, submitted an emergency rule request to both TDSHS and TPWD, asking that a rule be established to prohibit commercial harvest of turtles from private waters. Both agencies are allowing people to commercially harvest contaminated wild turtles from private waters to sell as food in Texas and other states, and each week an estimated 2000-6000 lbs of live turtles are exported from DFW airport. Turtle is an expensive Asian delicacy, and the entire animal including the organs and shell are consumed. They are sold at seafood markets and restaurants in DFW and Houston.

On April 2 TDSHS Attorney Mike Greenburg stated that the agency does not have jurisdiction to legislate the consumption of turtles because this is the responsibility of TPWD.

But last year in May TPWD stated that they do not have jurisdiction to legislate for public health and that this is the responsibility of TDSHS.

Ladies and Gentlemen, the law is clear --- both agencies have concurrent jurisdiction to legislate for public health. The Texas Food, Drug and Cosmetic Act clearly indicates that the State Health Services has jurisdiction over contaminated foods, and specifically freshwater turtles.

For more than a year, both TDSHS and TPWD have been aware of considerable evidence that squarely shows an imminent risk to public health to consumers of turtles in Texas, interstate and abroad.

This evidence and more is outlined in the Emergency Rule request that the Center for Food Safety mailed to TDSHS last week. The request is available online and holds a global audience.

We request that you pass an Emergency Rule immediately, eliminating this risk to human health.

Thank you for allowing me to present, and thank you for listening.

Adrian F. Van Dellen
48 Campers Cove Rd.
Woodville, Texas

NaturMate@earthlink.net