



August 26, 2013

**Does the CWD Standards Go Above and Beyond the Federal Rule? You Decide!!**

*A New Chart Compares Industry Concerns with Rule and Standards Language*

In an effort to clear confusion regarding concerns voiced from the cervid industry and whether they exceed the intent of the Federal CWD Rule, the ACA recently completed a breakdown of several of the concerns. A new chart offers a side by side comparison of the concerns with the Federal Rule language and the Standards Version 22 language. The chart features several of the “deal breakers” that have been submitted from council members. The list of concerns are growing daily, therefore the chart will be updated again soon.

As a reminder, Version 22 is the Standards draft that is the product of over six months of negotiating with the USDA. Version 22 is expected to launch for public comment at anytime.

**Concern**

**Federal Rule**

**Version 22 Standards**

<b><u>Concern</u></b>	<b><u>Federal Rule</u></b>	<b><u>Version 22 Standards</u></b>
<b>Fencing Requirements</b>	Rule 9 CFR 55.23 “For herds established after the effective date of the CWD rule, the fence must be a minimum of 2.4 meters (8 feet) high and must comply with any other existing State regulations or requirements. In either case, the fence must be structurally sound, maintained in good repair, and of sufficient construction to contain the animals.”	Appendix II of Version 22. The document states, “in at least one study (VerCauteren, et.al 2010) recommends fence height greater than 2.4 meters (at least 10 feet) to ensure 100 percent containment.” “However, a survey of 150 wildlife biologists found six individuals who had witnessed deer jump fences higher than 2.4m, suggesting that only a higher fence could achieve 100 percent deterrence.”

<b>Double Fencing</b>	No mention in Rule	<p><b>Part B, Section 1.1.</b> "In areas where CWD is not known to be present in free-ranging wild cervids, a second barrier is recommended that is adequate to prevent fenceline contact of wild cervids with this exposed herd."</p> <p><b>Part A, Section 4-</b> "the program does recognize the risks of CWD infection to farmed cervids held in facilities that operate in areas known to have CWD in free-ranging cervids. Therefore, the risk of CWD transmission between farmed cervids and free-range cervid populations should be assessed by individual States and addressed by additional barrier requirements as necessary."</p>
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<b>100% Testing for all Harvested Cervids in Preserves.</b>	No Mention in the Rule	Page 6 under the heading of "Hunt or Shooter Facility" of the Version 22. In the last sentence of the definition of "Hunt or Shooter Facility," Version 22 features the suggested idea of 100% testing for all harvested cervids in preserves by stating "States also may have CWD testing requirements of all cervids harvested from these facilities."
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<b>Definition of "Commingling" to allow Artificial Insemination Program to Lower Your Herd Status.</b>	No mention of semen or bodily fluids as commingling in the Rule	Pertaining to Part B-2.4 item 6, under heading of "Limited Contact" of the Version 22 Standards document draft. The document states on page 12, "Commingling includes contact with bodily fluids or excrement from other farmed animals. Farmed cervids commingled with other farmed cervids assume the status of the lowest program status animal in the group." Semen is considered a "bodily fluid."
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<p><b>• Semen as a Possible Transmitter of CWD</b></p>	<p>No mention in Rule</p>	<p>Part A-2.6 of the Version 22. “At this time there is no scientific evidence that germplasm (embryos or semen) may transmit CWD. If scientific evidence of the roles or embryos or semen in the transmission of CWD should become available, this guidance will be changed”</p>
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<p><b>Top Soil Removal Requirements</b></p>	<p>No mention in the Rule</p>	<p>Appendix IV- Section B, under heading of “Dry lot Where CWD positive animals have been held in close confinement (this includes but is not limited to corrals, pens, stalls, and alleyways or pathways),” of the Version 22 Standards document draft. The document states, “In addition, removal of the top 1 to 2 inches of soil may help to reduce surface contamination. The soil removed may be buried deeply or incinerated.” There is no instruction of what state or federal agency will be responsible for soil removal cost therefore it would fall on the producer. Moreover, the language “Dry lot Where CWD positive animals have been held in close confinement (this includes but is not limited to corrals, pens, stalls, and alleyways or pathways)” is very vague and could incorporate dozens to hundreds of acres requiring the removal depending on the speculation.</p>
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<b>Animal Identification</b>	CFR 55.23 Requires two forms of ID and grandfathers existing state id tags. "Each animal required to be identified by this subpart must have at least two forms of animal identification attached to the animal."	The standards do not grandfather state ID tags. Part A, Section 3.2 - "The official animal identification must be a device using an APHIS-approved animal identification numbering system that uniquely identifies individual animals as described in Appendix I. Information on official animal identification and devices can be found on the APHIS Traceability Web site: <a href="http://www.aphis.usda.gov/traceability/downloads/AIN_device_list.pdf">http://www.aphis.usda.gov/traceability/downloads/AIN_device_list.pdf</a> "
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<b>Cleaning Requirement for Sale Barns</b>	No requirement in Rule	Part B under heading of "Limited Contact" of the Version 22 Standards document draft. The document states, "Pens at fairs, livestock auctions, sales, shows, and exhibitions must be thoroughly cleaned and all organic material removed after use and before holding another animal."
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<b>Definition of Hunt or Shooter Facility.</b>	No Definition in Rule	Page 6 under the heading of "Hunt or Shooter Facility" of the Version 22. "Hunter or Shooter Facility" as "A privately owned ranch or other premises that operates to sell commercial hunts. These facilities should have fenced enclosures maintained to prevent ingress and egress of cervids. They may participate in an Approved State CWD HCP if they can comply with all minimum requirements of Approved State CWD HCP as set forth in the federal rule. States also may have CWD testing requirements of all cervids harvested from these facilities."
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<b>Requiring Notification for Every State Traveled Through to Destination for Interstate Transport.</b>	CFR 81.5, allows interstate transit to destination. There is no notice requirement for every state passed through.	Part A-8.4 of the Version 22. "Although the CWD rule does not require such transport permits, APHIS intends to advise producers and transporters to provide prior notification to any state through which they may transit en-route to their final destination "
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<b>Definition of Limited Contact</b>	There is no requirement in the Rule.	On page 6, "Limted Contact- Any brief contact with a farmed animal such as occurs in sale or show rings and alleyways at fairs, livestock auctions, sales, shows, and exhibitions. Limited contact does not include penned animals having less than 10 feet of physical separation or contact through a fence, or any activity where uninhibited contact occurs such as sharing an enclosure, a section of a transport vehicle, sharing equipment, food, or water sources, or contact with bodily fluids or excrement."
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<b>Prohibiting Movement of Animals with definition of Hold Order</b>	There is no such definition in the Rule	On page 7, "Hold Order- A temporary order issued by a State prohibiting movement of animals from or in to a premises for a given period of time."
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<b>Physical Inventories</b>	55.23 "In addition, a complete physical herd inventory must be performed for all herds enrolled in the CWD Herd Certification Program no more than 3 years after the last complete physical herd inventory for the herd"	Part A, Section 2.7. "States may require more frequent physical inventories for all herds in their Approved State CWD HCP ."
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<p><b>Sanitary Precautions for Vehicles</b></p>	<p>There is no mention in the Rule</p>	<p>Part B, Section 3. "Any third-party vehicle used to transport cervids must be cleaned and disinfected before and after transporting CWD susceptible cervids. The owner will require the transporter to provide a statement that the truck or trailer was cleaned and disinfected and will keep a copy of the statement. Producer-owned vehicles such as cars, pickup trucks, and tractors only may be shared among herds or premises under common ownership. Producer-owned equipment for transport of animals must be cleaned and disinfected if it is to be used for multiple herds managed by the same producer. Other farm equipment that tends to be heavily contaminated with soil or feces such as manure spreaders and drags may not be shared among herds or premises unless it is cleaned and disinfected each time. Producers should keep records of these activities which involve commingling of animals in those herds. .Part B, Section 3. "Any third-party vehicle used to transport cervids must be cleaned and disinfected before and after transporting CWD susceptible cervids. The owner will require the transporter to provide a statement that the truck or trailer was cleaned and disinfected and will keep a copy of the statement. Producer-owned vehicles such as cars, pickup trucks, and tractors only may be shared among herds or premises under common ownership. Producer-owned equipment for transport of animals must be cleaned and disinfected if it is to be used for multiple herds managed by the same producer. Other farm equipment that tends to be heavily contaminated with soil or feces such as manure spreaders and drags may not be shared among herds or premises unless it is cleaned and disinfected each time.</p>
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<b>Safety Precautions</b>	No mention in the Rule	Appendix III, Section A & Section B, includes two pages of oversight spelling out safety precautions and equipment requirements.
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<b>Decontamination Fence Requirements</b>	Not included in the Rule	Appendix IV- Section A. "Fences should be maintained to prevent ingress and egress of cervids. "
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<b>Shooter Surveillance</b>	Not in Rule	On page 11, " "Farmed or captive elk, deer, and moose herd owners who do not wish to move their animals interstate or who cannot meet the requirements of the National CWD Herd Certification Program may choose not to participate. Commercial hunt facilities (shooter herds) that receive animals from multiple sources are of particular concern. Such herds provide a unique opportunity for CWD surveillance and, if left unmonitored, present an increased risk of CWD to wild and farmed or captive cervids in the State in which they reside. However, many such herds may see little advantage in participating in the National CWD HCP because they have no need to move live animals interstate or know that they cannot meet the inventory and surveillance requirements of the program. While APHIS cannot require States to institute monitoring programs for these herds, we recommend States develop surveillance monitoring programs for such herds that are not part of the National CWD HCP."
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<p><b>Tracebacks</b></p>	<p>(iv) Conduct an epidemiologic investigation of CWD-positive, CWDexposed, and CWD-suspect herds that includes the designation of suspect and exposed animals and that identifies animals to be traced;(v) Conduct tracebacks of CWD positive animals and traceouts of CWDexposed animals and report any out-of-State traces to the appropriate State promptly after receipt of notification of a CWD-positive animal; and (vi) Conduct tracebacks based on slaughter or other sampling promptly after receipt of notification of a CWD positive animal at slaughter.(6) Effectively monitors and enforces State quarantines and State reporting laws and regulations for CWD.</p>	<p>(1.3) Quarantine CWD-positive or exposed herds are to be issued quarantines or hold orders by the State official. Exposed animals in a positive or trace herd must remain on the premises unless a State or Federal permit for movement (such as VS Form 1-27) has been obtained.</p>
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