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☞ Details: Miscellaneous information

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2003-04

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Agriculture...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION
And
THE DEPARTMENT OF NATURAL RESOURCES**

SUBJECT: Cooperation between the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Natural Resources (DNR) relating to the regulation of fish farming.

PURPOSE: This Memorandum of Understanding (MOU) establishes a framework for DATCP and DNR to cooperate to effectively regulate and promote fish farming while protecting the natural resources of this state.

SCOPE: The agencies intend that this MOU memorialize agreements reached between the agencies relating to regulating fish farming. Any issue which is not addressed in this MOU is not to be read into this MOU by implication.

STATUTORY AUTHORITY: The agencies enter this MOU under the authority of ss. 20.901 and 93.06(11), Wis. Stats., and non-statutory provisions in 97 Wis. Act 27.

AGENCIES INVOLVED:

- The Wisconsin Department of Agriculture, Trade and Consumer Protection with offices located at 2811 Agriculture Drive, Madison, WI.
- The Wisconsin Department of Natural Resources with offices located at 101 S. Webster Street, Madison, WI.

THE AGENCIES AGREE THAT:

1. It is the intention of DNR and DATCP that the staff of both agencies should cooperate in promoting the interests of the State of Wisconsin and of the citizens of the State of Wisconsin relating to protecting the waters of the state and the fish population of the state while promoting fish health among both the state owned fish population and the fish owned by registered fish farmers and promoting the fish farming industry and development of markets for products of the fish farming industry. The agencies encourage their staff to cooperate within statutory limits in the following:
 - Promoting early inter-agency communication regarding policy changes or initiatives, administrative rules changes, and legislative changes that an agency will seek that might affect our mutual customers.
 - Promoting efficient law enforcement activities in areas of mutual concern.
 - Promoting opportunities for inter-agency attendance at staff meetings or training sessions relating to matters of mutual interest or concern.
 - Promoting clarity of communications between agency staff by utilizing consistent names for species of fish in inter-agency communications. The agencies agree to

use the American Fisheries Society Common and Scientific Names of Fishes to establish consistent species names.

2. Sections ATCP 10.68, 11.58 and 11.59, Wis. Adm. Code, contain provisions which DNR is required to comply with, and in some instances different provisions which private fish farmers are required to comply with. The agencies agree that persons or not-for-profit groups who have formal cooperative agreements with the DNR for raising fish will be considered DNR facilities and will be required to meet the same requirements as DNR is required to meet for its fish hatcheries, rearing stations, and ponds used for fish rearing facilities.
3. Section ATCP 11.59, Wis. Adm. Code, requires persons who are stocking fish in the waters of the state to obtain a health certificate before the fish are stocked. Section 29.736, Wis. Stats. requires persons who stock fish to obtain a permit from DNR. DNR agrees that it will not issue a stocking permit until the applicant has provided a copy of the appropriate health certificate to the DNR.
4. DNR agrees that it will report all instances of reportable diseases that are reported or confirmed in waters of this state to DATCP within 10 days.
5. DATCP agrees that it will report to DNR confirmed cases of reportable fish disease in this state. If the disease is confirmed at a fish farm, DATCP will identify the name, address and location of the fish farm.
6. Persons who import fish into Wisconsin are required to obtain an import permit from DATCP. If the person is importing "non-native" fish, the person is also required to obtain a permit from DNR. DATCP agrees not to issue an import permit for "non-native" fish until the person has a DNR permit. Since identification of "non-native" fish is within DNR's expertise, DATCP will rely on DNR's identification. DNR will provide DATCP with a written list identifying all species of fish it believes need a permit from DNR before it can be imported to Wisconsin. DNR may change the list at any time by simply providing a written list to DATCP which incorporates the changes. The "non-native" fish list may include any species DNR issues a permit for prior to import, including rough fish. DATCP will treat all species on the "non-native" fish list the same with regard to withholding a DATCP import permit until the person obtains a DNR permit. At the present time, DNR has provided DATCP with a table from DNR's Fish Management Handbook. The table is identified as Table 1. Fishes reliably reported to occur (or to have occurred in the past) in Wisconsin waters. Unless DATCP receives a replacement "non-native" species list, DATCP will utilize this list to determine which import permit applications need to be referred to DNR in the following manner:
 - A. DATCP will refer an import permit application to DNR for any species which is not identified in Table 1.
 - B. If the species is identified in Table 1 and is not identified with an *, DATCP will not refer the import permit application to DNR.
 - C. If the species is identified in Table 1 and is identified with an *, DATCP will not refer the import permit application to DNR, unless DNR has made a

written request to DATCP to receive notification of import permit requests for the particular species at issue.

When DATCP refers the import permit application, DATCP will advise the applicant that the application has been referred to DNR, and that DATCP will not consider the application until the DNR permit is issued.

Within 10 days of receiving the permit, DNR will send an acknowledgement letter to the applicant containing the following information:

- A. Name and contact information for the DNR person who will be handling the permit review.
- B. An estimated time when the review will be completed.

The DNR will keep the applicant informed if the estimated time of completion changes significantly.

7. DNR will advise DATCP when it issues a permit under paragraph 6. DATCP will then consider the permit application.
8. Under s. 95.60(2), Wis. Stats., DNR is exempt from the requirement to obtain an import permit for fish or fish eggs it imports. Under the same statutory section, DNR is required to certify the health status of any fish of the family salmonidae that it imports for stocking in the waters of this state. The same statutory section authorizes DATCP to require a person, who is required to either obtain an import permit or to certify health status of fish of the family salmonidae, to notify the department before bringing fish or fish eggs into this state. DATCP is requiring DNR to notify the department before bringing fish or fish eggs into the state. The agencies agree that this requirement will be met if DNR provides DATCP with a list of proposed and actual DNR imports in January and July each year.
9. Under s. 95.60(4s) DATCP is required to consult with DNR regarding labeling and identifying fish reared on fish farms, promulgating rules for health standards, establishing standards for non-veterinarians to issue fish health certificates and dealing with diseases of salmonids. DATCP agrees to consult with DNR on the statutorily mandated subjects. In this context, consult means to seek advice or information, or to take into account or consider.
10. DATCP agrees that if it creates a list of ornamental fish in addition to those identified in s. ATCP 11.58(1)(g), it will consult with DNR regarding the fish to be included on that list.
11. DATCP agrees that if DNR provides DATCP with a listing of people in DNR who should be contacted by a person interested in becoming a registered fish farmer so the person may determine what that person needs to do to comply with DNR requirements, DATCP will include that contact list in the fish farm starter kits.
12. The agencies agree that they may share staff or equipment to address specific incidents relating to fish farming. If staff or equipment are shared, the agency that wants to use the staff or equipment shall be the "receiving agency." The agency that is providing the staff or equipment shall be the "sending agency." Each agency agrees that if it is the receiving agency, it will reimburse the sending agency for the use of its

equipment or staff if the sending agency requests payment. Each agency agrees that if it seeks reimbursement it will charge the other agency at the same rate it would charge internally for the use of that equipment or staff if it charged internally for the use of equipment or staff. If an agency desires to use equipment or staff of the other agency, the following procedure will be used:

- A. The Secretary of the receiving agency will make a written request to the Secretary of the sending agency identifying what equipment or personnel the agency seeks to use and the facts relating to the incident which creates the need for the use of the equipment or staff.
 - B. The Secretary of the sending agency will consider the request and will provide a written response to the Secretary of the receiving department. The written response will either authorize the requested use, deny the requested use, or offer an alternative which may serve the interests of both agencies.
13. DATCP will annually provide DNR with a list of all registered fish farms.
 14. DATCP and DNR agree that each agency will have access to records maintained by the other agency. Neither agency is required to create or gather records not already kept for the benefit of the other agency. This provision does not authorize either agency to attempt to use the authority of the other agency to gain access to records kept by someone else.
 15. If DNR obtains records from DATCP which are subject to the confidentiality provisions of s. 95.60, Wis. Stats., DNR will maintain the confidentiality of those records. DNR will refer any open records request for the confidential records to DATCP.
 16. If DNR needs to contact DATCP regarding fish farming, DNR should contact the State Aquaculture Veterinarian at (608) 224-4876. If the State Aquaculture Veterinarian is unavailable, DNR may contact the Veterinarian Supervisor at (608) 224-4880.
 17. If DATCP needs to contact DNR regarding fish farming, DATCP should contact the Aquaculture Sector Specialist at (608) 266-7715. If the Aquaculture Sector Specialist is unavailable, DATCP may contact the Chief of the Fisheries Policy and Operations Section in the Bureau of Fisheries Management and Habitat Protection at (608) 267-7501.
 18. This agreement is effective on the latest date on which a Secretary of one of the agencies signs the agreement. This agreement may be amended or revoked at any time by written agreement of the parties. The agencies agree that they will advise WAIAC and WAA of changes made to the agreement.
 19. The agencies agree that the agencies will meet to review effectiveness of the MOU, and possible amendments two years after the date on which this MOU is effective. Thereafter, the reviews will take place 3 years after the prior review. Either agency may request an earlier review by providing 30 days written notice of the request.
 20. Any problems or complaints regarding non-compliance with this agreement should initially be worked out or resolved at the lowest management level with responsibility

in the contested area. If the matter is not resolved at the lowest management level, the discussion may be moved to the next higher management level and ultimately may be resolved at the Secretarial level.

Dated this 3rd day of August, 2000.

Dated this 18 day of July, 2000.

By: George E. Meyer
George E. Meyer, Secretary
Wisconsin Department of
Natural Resources

P.O. Box 7921
Madison, WI 53707-7921

By: Ben Brancel
Ben Brancel, Secretary
Wisconsin Department of
Agriculture, Trade and
Consumer Protection

P.O. Box 8911
Madison, WI 53708-8911



**Joint Public Hearing of the Assembly Committee on Agriculture and the
Senate Committee on Agriculture, Financial Institutions and Insurance**

Agency presentation from the
Wisconsin Veterinary Diagnostic Laboratory

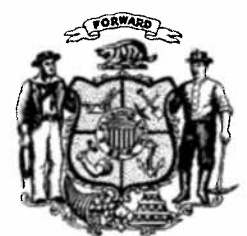
Robert M. Shull, Laboratory Director

October 16, 2003

1. Accreditation progress report. The WVDL has had "*provisional accreditation*" from the AAVLD as of October 1998, 3 years longer than is normally allowed. Since that time the lab has been moved administratively to the UW system and has made great strides toward reclaiming full AAVLD accreditation. Fifty-nine of 61 specific deficiencies identified during 1991 and 1995 site visits have been remedied. A team from the AAVLD will spend 3 days in Madison in mid-November inspecting our facility, interviewing our lab personnel, assessing our diagnostic capabilities, and, *very importantly*, assessing the level of support for animal disease diagnostics from the State. We have many reasons to be optimistic about the outcome of this visit, but the recent loss of 2.9 FTEs and the lack of funding for 7 remaining open FTEs may eventually become problematic.
2. New WVDL facility. The staff of the WVDL has been given the opportunity to work closely with the project architect (Strang, Inc.), the UW Division of Facilities Planning and Management, and the Wisconsin Division of State Facilities over the last year. The result is a plan for a new lab to be built on the UW campus which is both attractive and *extremely* functional in design. Project programming as approved by the Building Commission has been fully satisfied and the project is within budget. Following approval of the final design report by the SBC, completion of construction drawings and the bidding process this spring, ground breaking will occur next summer. Construction will take about 20 months with occupancy in the spring of 2006. The physical proximity and programmatic association between the WVDL and UW School of Vet Medicine will give Wisconsin an even stronger presence in the world of veterinary diagnostics, teaching, and research than we enjoy today.
3. CWD testing for 2003-04. WVDL completed the largest single state CWD surveillance program last year using a proven, but very time consuming assay called IHC. We have diligently investigated alternatives to IHC that would allow us to complete this year's testing in less time, without sacrificing the quality of the results. We have selected a new assay which is currently undergoing USDA licensure. We have experience with this test and expect to be in "full swing" with it by late November. CWD testing for private hunters will be available this year at WVDL using the IHC assay.
4. Tissue digester project. The USDA is providing Wisconsin with the first *mobile* tissue digester ever constructed. This will have an immediate impact on our CWD work due to its proven ability to inactivate the causative abnormal prion. The state and 4 agencies provided funding to construct a building to house the digester and it is currently under construction immediately behind the WVDL facility on Mineral Point Rd. The digester should be operational by December, in time to help with the disposal of any CWD+ deer and diagnostic samples. Space for a fixed tissue digester has been included in the new WVDL facility plans, but funding for the actual digester has not yet been secured. This will become essential if the mobile digester becomes unavailable to us in the future, or if the ability to render animal waste from the lab is lost as has occurred in some other states. The cost for an adequately sized digester would be about \$1 million. Some federal assistance may be possible.
5. National Laboratory Animal Health Network. WVDL is 1 of 5 core facilities in a national program that has a critical role in homeland defense against agriterrorism. We received a \$2 million grant from USDA and have built a biosafety level-3 lab, purchased a new electron microscope and other equipment, and are in the process of training our staff to perform testing for 8 important diseases including Foot and Mouth Disease. By being part of the NAHLN, we can help insure that Wisconsin is as well prepared as possible for events that could have serious impacts on our dairy and poultry agricultural interests. *Our leadership role in the NAHLN adds to the importance of filling the open FTE positions at WVDL.*



WISCONSIN STATE LEGISLATURE



Napralla, Erin

From: Moll, Keeley A DATCP
Sent: Monday, January 12, 2004 10:31 AM
To: Napralla, Erin
Subject: FW: BSE fact sheet - Follow-up from hearing...

Follow Up Flag: Follow up
Flag Status: Flagged

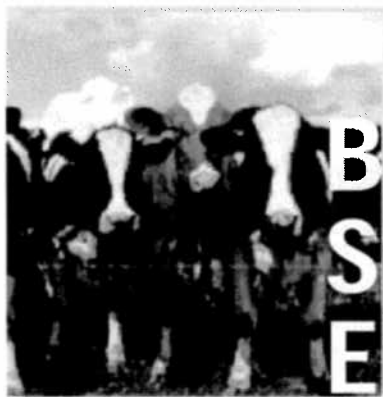
Dr. Ehlenfeldt asked that I forward this to Rep. Ott, so that he could forward it to committee members. I am also including a link to the USDA chronology of BSE events. If you, or any other committee member need additional information, please do not hesitate to contact me, or Dr. Ehlenfeldt at 224-4872.

Keeley Moll
DATCP
224-5039



bsefactsheet2.pdf

<http://www.usda.gov/news/releases/2003/12/bsechronology.htm>



Bovine Spongiform Encephalopathy

Fast facts about "mad cow disease"

The essentials

- ▶ A single case of BSE has been found in the United States, in a Washington state Holstein cow that was born in Canada prior to prohibition of risky feeding practices.
- ▶ We have a multi-pronged approach to prevention: banning imports, banning suspect feed ingredients and surveillance, banning nonambulatory animals and risky materials from the human food chain
- ▶ Cattle, beef, and feed ingredients or products made from cattle cannot come into the United States from Great Britain or Europe
- ▶ By-products from cattle and most other mammals are banned from cattle feed in the United States
- ▶ Wisconsin renderers and feed mills are under inspection and complying with the ban
- ▶ Downer animals and those with central nervous system symptoms are tested after slaughter

What is BSE?

- ▶ *Bovine spongiform encephalopathy*, (boe' vine--sponge' i form--en sef uh lah' puh thee) commonly called mad cow disease
- ▶ Fatal disease of the central nervous system, affecting the cow's brain and spinal cord
- ▶ Symptoms include agitation, aggression, trembling, difficulty in or inability to walk
- ▶ Can be positively diagnosed only after the animal has died, by examining its brain
- ▶ One of a family of related diseases, called transmissible spongiform encephalopathies (TSE) that affect different species of mammals: scrapie in sheep; chronic wasting disease in deer and elk; transmissible mink encephalopathy; feline spongiform encephalopathy; and Creutzfeldt-Jakob disease, new variant Creutzfeldt-Jakob disease, fatal familial insomnia, Gertsmann-Straussler-Scheinker disease and kuru in humans.

Has BSE been found in Wisconsin?

- ▶ Despite surveillance since 1990, only one case BSE has been found anywhere in the United States. That occurred in December 2003 in Washington state.

Where is BSE known to occur?

- ▶ Location and number of infected animals, according to Office of International Epizootics, including imported animals:

Belgium	121	Ireland	1,325	Poland	9
Canada	2	Israel	1	Portugal	845
Czech Republic	8	Italy	88	Slovakia	12
Denmark	12	Japan	9	Slovenia	3
Finland	1	Liechtenstein	2	Spain	365
France	844	Luxembourg	2	Switzerland	451
Germany	295	Netherlands	70	United Kingdom	183,371
Greece	1				

- ▶ Cases in United Kingdom have dropped from a high of 37,280 in 1992 to 1,144 in 2002.

What causes BSE?

- ▶ Science has not found a definitive cause, but the leading theory is that BSE "jumped species" from sheep, which get a similar disease called scrapie.
- ▶ Parts from scrapie-infected sheep were included in cattle feed to add protein; parts of infected cattle were subsequently also used in cattle feed.
- ▶ Leading theory suggests that infecting agent is not viral or bacterial, but a protein called a *prion* that becomes abnormal and reproduces itself.
- ▶ The rendering process changed in late 1970s in the UK to eliminate solvents and use lower temperatures, which some scientists believe allowed prions to survive the process.



For more information

On the Web:

U.S. Department of Agriculture
<http://www.usda.gov>

U.S. Food and Drug
Administration
<http://www.fda.gov/oc/opacom/hottopics/bse.html>

World Health Organization
<http://www.who.int/mediacentre/factsheets/fs113/en/>

<http://www.who.int/inf-fs/en/fact180.html>

U.S. Centers for Disease
Control
<http://www.cdc.gov/ncidod/diseases/cjd/cjd.htm>

United Kingdom
<http://www.defra.gov.uk/animalh/bse/index.html>

Canada
<http://www.inspection.gc.ca/english/animal/heasan/disemala/bseesb/bseesbindexe.shtml>

Or contact the Division of Animal Health:

608-224-4872

Does BSE pose a human health threat?

- Creutzfeldt-Jacob disease, or CJD, is a long-recognized, fatal and rare disease that attacks the human central nervous system, causing paralysis and dementia. *This form of CJD -- classic CJD -- has not been linked to BSE.* It occurs worldwide, including in the United States. The annual death rate from classic CJD has remained stable at about 1 per 1 million people.
- 143 people in Great Britain have died from *new-variant* Creutzfeldt-Jacob disease, or nvCJD. This new form of the disease progresses more slowly and strikes younger people than classic CJD. Other cases have been diagnosed in France (6), Canada (1), Ireland (1) and the United States (1). *The case of nvCJD in the United States was in a person who had lived for a long time in Great Britain.*
- Autopsies of nvCJD victims show brain damage similar to that of cows infected with BSE
- Some scientists believe these victims contracted nvCJD by eating meat from cattle that had BSE

What steps has the federal government taken to prevent BSE?

- Three-pronged approach: banning cattle/ruminant imports, banning suspect feed ingredients, and surveillance
- Chronology of federal actions:
 - 1989 U.S. Department of Agriculture (USDA) bans importing live ruminants (dairy and beef cattle, sheep, goats and deer); meat from ruminants; and ruminant products like bonemeal, bloodmeal, offal, fats and glands from any country where BSE had been found in cattle
 - 1990 USDA begins surveillance, examining brains of all slaughtered cattle showing signs of neurologic disease and sampling "downer" cattle – those killed because they are unable to get up
 - 1997 USDA extends import ban to cover all of Europe
 - 1997 The U.S. Food and Drug Administration (FDA) prohibits using parts from most mammals in feed for cattle
 - 2000 USDA bans imports of any rendered animal products from Europe, regardless of species
 - 2001 USDA bans imports of any ruminants or rendered ruminant products from Japan.
 - 2002 USDA bans imports of any ruminants or rendered ruminant products from Israel.
 - 2003 USDA bans imports of any ruminants or rendered ruminant products from Canada. USDA bans downer cattle and certain risky tissues from the human food chain.
- Nationwide, more than 57,000 cattle brains have been examined, and no evidence of BSE was found until the single case in December 2003
- More than 19,000 inspections have been conducted in the U.S. feed industry to assure compliance with ban on prohibited proteins in ruminant feed.

What are we doing in Wisconsin to prevent BSE?

- Wisconsin Department of Agriculture, Trade and Consumer Protection's feed program routinely inspects and enforces the ban on prohibited proteins
- Wisconsin renderers and feed mills are in compliance
- About 6,000 cattle slaughtered in Wisconsin have been examined for BSE, and found negative

Vet tells committee Wisconsin beef is safe

International markets requesting more testing

By Joanne M. Haas

Correspondent

MADISON — Shortly after the state veterinarian assured a legislative committee that Wisconsin's beef is safe, Rep. Barbara Gronemus, D-Whitehall, drew applause for urging the media to quit using a photo from Great Britain's 1980s bovine spongiform encephalopathy outbreak to illustrate the BSE discovery in Washington state.

Rep. Al Ott, R-Forest Junction, chairman of the Assembly Committee on Agriculture, quickly urged an end to the applause at the public hearing.

The outburst served as proof of the high priority and emotions the Washington BSE case has triggered in Wisconsin, and why Rep. Al Ott quickly arranged for the Jan. 8 committee briefing from State Veterinarian Robert Ehlenfeldt, according

to Rep. Ott. "This, without a doubt, is an important issue for everyone in this room and every body in the state of Wisconsin," Rep. Ott said of the diseased Washington Holstein linked to a shipment from a farm in Alberta, Canada.

Within hours of the U.S. Department of Agriculture's Dec. 23 announcement of the Washington BSE case, countries began closing their borders to U.S. beef imports, a big blow to an industry finally enjoying improved prices.

Dr. Ehlenfeldt told legislators the BSE case is "more a consumer issue than an animal health issue," adding Wisconsin's beef is safe and continues to be safe.

"I think we're going to find a few more positives over the next couple of years, but it is not going to be anything like Great Britain," he said. Dr. Ehlenfeldt said he would not be surprised if a

BSE case pops up in Wisconsin.

"I'm going to be really unhappy, but I can't say I'd be completely flabbergasted if it's found, because we import a number of cattle from Canada," he said.

More testing of animals for BSE may be needed to reopen some of the trade markets, Dr. Ehlenfeldt said, adding that more testing also may be needed to alleviate any possible consumer confidence issues. However, he said, recent numbers show beef consumption has yet to suffer.

Wisconsin tested nearly 2,900 animals for BSE as of Sept. 30, the end of the federal fiscal year, he said. The Wisconsin tested nearly 2,800. And from 1990 to 2000, he said, Wisconsin tested 764.

Some countries, including Japan, have promoted testing of all animals, but Dr. Ehlenfeldt doesn't support it.

"There's no good science to test every animal," he said, adding Wisconsin simply doesn't have the capacity or staff to do it. "I think Japan may be using 'we're testing every animal and we think you should too' argument."

What is needed, Dr. Ehlenfeldt said, is improved tracking of animals, which is called for in a pending legislative proposal.

State Agriculture Secretary Ron Nilsestuen supports the proposal, while some groups worry farmers will end up paying for beef protection and others think Wisconsin should wait for a national registration program.

"We cannot develop a national system to track animals as they move from one place to another unless we first know where animals are kept," Mr. Nilsestuen said. "The only way we can know with certainty where animals are kept is to mandate premise registration. ... We must do everything within our power to restore consumer confidence quickly. Now is not the

time to quibble among ourselves."

The proposal from Rep. Gronemus, still in draft form and expected to be revised and discussed again at a future committee hearing, would require farmers with groups of 20 or more animals to pay \$30 to register their herds and addresses with the state's electronic database.

Gary Tauchen of the Dairy Business Association told the committee a uniform premises and animal tracking system "assures producers the regulatory needs for managing a disease outbreak can be met."

Terry Quam, president of the Wisconsin Cattleman's Association, told the committee a Wisconsin registration system may differ from the national uniform program under development by the USDA.

"This will create confusion in our state and will disadvantage Wisconsin farmers in the national marketplace that will be functioning in accord with the USDA's standards," Mr. Quam said.

for more Information

FDA's Web site, information on the feed ban and a list of prohibited animal protein products:

www.fda.gov/cvm

U. S. Food and Drug Administration:

<http://www.fda.gov/oc/opiccom/hottopics/bse.html>

Guidance documents for various industries dealing with animal feeds:

<http://www.fda.gov/cvm/guidance/guidance67.pdf>

<http://www.fda.gov/cvm/guidance/guidance68.pdf>

<http://www.fda.gov/cvm/guidance/guidance69.pdf>

<http://www.fda.gov/cvm/guidance/guidance70.pdf>

The code of federal register part 589.2000:

http://www.access.gpo.gov/nara/cfr/waisidx_00/21cfr589_00.html

U. S. Department of Agriculture:

<http://www.aphis.usda.gov/ow/bse>

The Animal and Plant Health Inspection Service's ban on importation of animal protein from Europe:

<http://www.aphis.usda.gov/lpa/press/200012/eed.12.19.txt>

Association of American Feed Control Officials, Inc.:

<http://www.aafco.org>

Articles of interest:

Federal Agencies Take Special Precautions to Keep Mad Cow Disease Out of the United States

<http://www.hhs.gov/news/press/2001pres/01fbse.html>

Bovine Spongiform Encephalopathy and Variant Creutzfeldt-Jakob Disease: Background, Evolution, and Current Concerns

<http://www.cdc.gov/meldod/EJD/vol17no1/bseva.htm>

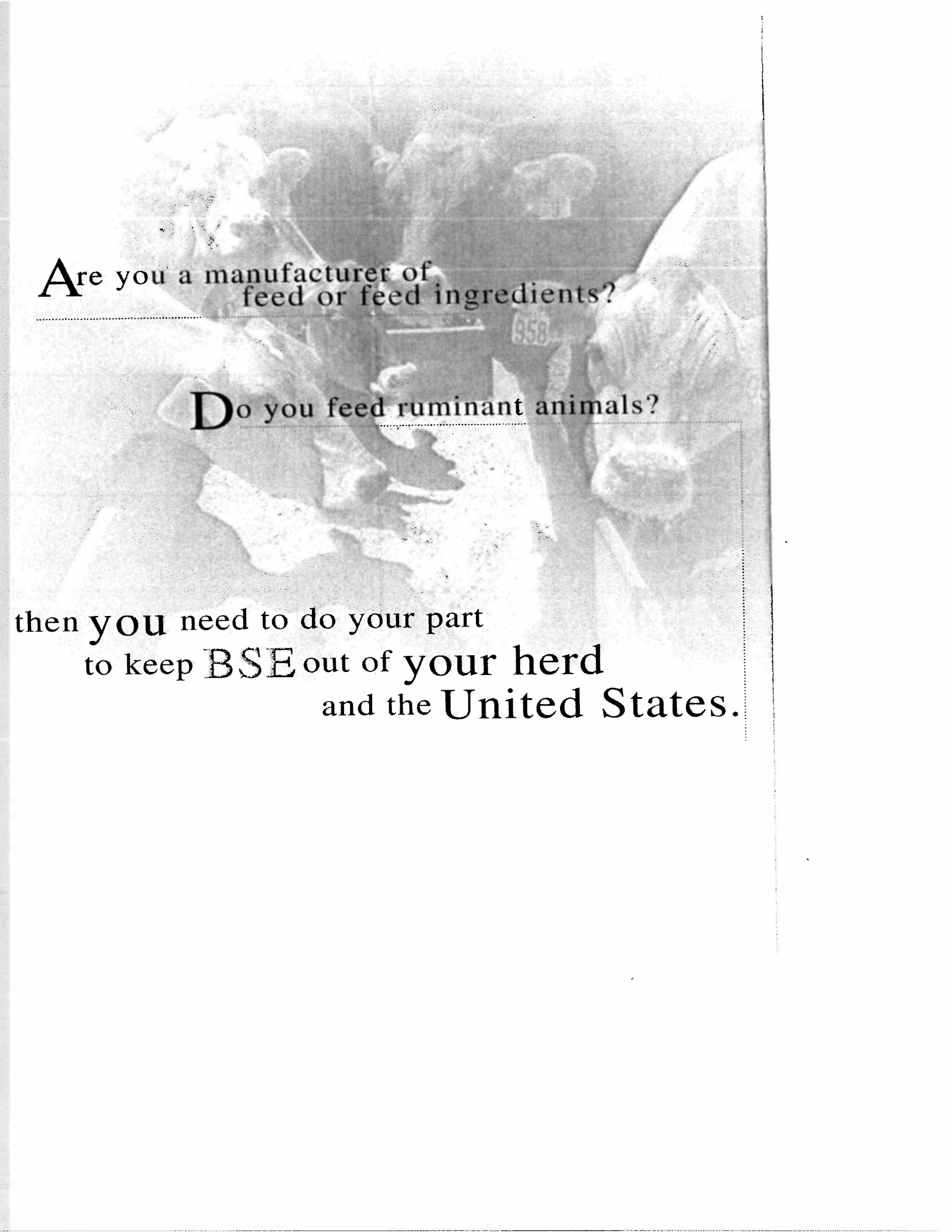


*photography provided by the USDA

ARM Pub91 (July 2001)



Reduce
the
threat
of
BSE
"mad cow disease"



Are you a manufacturer of
feed or feed ingredients?

Do you feed ruminant animals?

then **you** need to do your part
to keep **BSE** out of **your** herd
and the **United States**.

MAMMALIAN PROTEIN FEEDING BAN

The Food and Drug Administration has banned the feeding of certain protein derived from mammals to ruminants since 1997. The driving force behind the ban is to prevent the establishment and spread of bovine spongiform encephalopathy (BSE) in the United States. Ruminants are animals that chew their cud, such as cattle, sheep, goats, deer, elk, and bison.

A progressive, fatal degenerative brain disease of cattle, BSE is often referred to as "mad cow disease." Cattle are believed to contract BSE when they consume contaminated mammalian protein. A human form of the disease, new variant Creutzfeldt-Jacob Disease, has been linked to consumption of contaminated beef.

The threat of BSE can be limited by absolute compliance to the feed ban by

the animal feed industry and livestock producers.

Prohibited animal protein products

Feed ingredients or feeds that contain mammalian proteins are "prohibited material":

- Meat, glandular meal, meat and bone meal, meat and bone meal tankage, meat by-products, hydrolyzed hair, cooked or steamed bone meal, bone marrow and leather meal.

Protein products derived from non-mammalian sources are exempt:

- Poultry; marine (fish); vegetable

The following products are also exempt because they are not protein or tissue:

- Fats and oils, including grease and tallow; amino acids; dicalcium phosphate

Exempted animal protein products

Mammalian protein products that are exempt from the feed ban are non-prohibited proteins.

- Blood and blood products; milk products (milk and milk proteins); pure porcine (pork) or pure equine (horse) protein products; inspected meat products (such as plate waste) which have been cooked and offered for human consumption and further heat processed for animal feed; gelatin.

Inspections

Total compliance with the feed ban is essential to prevent an outbreak and spread of BSE in this country. State feed control officials and the Food and Drug Administration will closely monitor the feed and livestock industries to ensure they are in compliance. This will include inspection of feed mills, rendering facilities and animal feeding operations.

Feeders of ruminant animals

- Do not feed prohibited animal proteins to ruminants.
- Carefully read and follow label directions. Heed caution statements.
- Keep a record of all feeds purchased that contain any animal protein. Records include invoices, sales receipts and product labels.
- Keep records at least one year.
- Keep ruminant and non-ruminant feeds separate.

Mixers of both ruminant

and non-ruminant animal feed

Use of Prohibited Animal Proteins

If you buy, sell, distribute, handle or use prohibited animal proteins in your place of business or on your farm, you must ensure they do not contaminate feed for ruminants:

Recordkeeping

- Record receipt of ALL feed and feed ingredients that contain any animal protein products. Records include the date of receipt, name and address of suppliers, labels, quantities and invoices.
- Record sales of feed containing prohibited animal protein products (such as swine and poultry feed), including cash sales. Records must include the name and address of the purchaser, quantity sold and copy of the label.
- Maintain records for at least one year.

Manufacturing and Handling Procedures

- Avoid commingling or cross-contamination of prohibited and non-prohibited materials by clearly labeling feeds and feed ingredients. Store feeds and feed ingredients in separate areas.
- If possible, use separate, dedicated equipment for ruminant and non-ruminant feeds. If this isn't possible, you must properly and thoroughly clean equipment to prevent contamination of ruminant animal feeds.

Mixers of non-ruminant feed only

Use of prohibited animal protein

Recordkeeping

- Record receipt of ALL feed or feed ingredients that contain animal protein products. Records include the date of receipt, the name and address of suppliers, labels, quantities and invoices.
- Keep accurate records of the sales of feeds that contain or may contain prohibited animal protein products including cash sales. Records must include name and address of the purchaser, quantity sold and copy of the label.
- Maintain records for a minimum of one year.

Handling

- There are no special handling requirements.

Labeling

- Label all feeds that contain or may contain prohibited animal proteins with the warning statement, "DO NOT FEED TO CATTLE OR OTHER RUMINANTS."
- Labels must accompany every shipment of feed to all feed customers.
- Feeds labeled with the warning statement should be kept separate from feeds that contain non-prohibited proteins.

Use of non-prohibited animal protein only

Recordkeeping

- Record receipt of feed or feed ingredients that contain non-prohibited animal protein products. Records include the date of receipt, the name and address of suppliers, labels, quantities and invoices.

Manufacturing and Handling Procedures

- Obtain non-prohibited material (which includes pure pork and pure equine).
- Read the labels of all incoming product each and every time.
- If you're concerned that an animal protein product you are using is prohibited, or if it may contain prohibited material, call your supplier and request verification. This is especially important if you see the collective term "animal protein products" used on the label.
- There are no requirements to clean out equipment.

Labeling

- You do not need caution statements on the label.

For more information on the feed ban or for a list of prohibited animal protein products, visit the websites listed on the back side.

- Establish written handling and clean out procedures for packaging machines, conveyors, bagging equipment, mixers, scales and bulk trucks that are used for ruminant animal feeds and feeds that may contain prohibited animal protein products.
- Dispose of all materials gathered during the clean out process or properly label them with the caution statement and incorporate into feeds for non-ruminant animals.
- Be sure all employees are aware of and are trained in the established procedures.

Labeling

- Label all feeds that you make with prohibited animal proteins or that may contain prohibited animal proteins with the warning statement, "DO NOT FEED TO CATTLE OR OTHER RUMINANTS."
- Labels must accompany every shipment of feed to all feed customers.
- Feeds labeled with the warning statement should be kept separate from feeds that contain non-prohibited proteins.

Use of non-prohibited animal proteins only

Recordkeeping

- Record receipt of ALL feed and feed ingredients that contain any animal protein products. Records include the date of receipt, name and address of suppliers, labels, quantities and invoices.
- Maintain records for at least one year.

Manufacturing and handling procedures

- Obtain non-prohibited material (which includes pure pork and pure equine) from suppliers that only receive product from single-species slaughter facilities.
- Read the labels of all incoming product each and every time.
- If you're concerned that an animal protein you are using is prohibited, or if it may contain prohibited materials, call your supplier and request verification. This is especially important if the collective term "animal protein products" is used on the label.
- Clean out of equipment is not required if only non-prohibited proteins are used.

Labeling

- You do not need caution statements on feed labels if the feed contains only non-prohibited protein.
- Make sure that labels accompany every shipment of feed to all feed customers. Feeders of ruminant animals are required to keep copies of all labels and invoices of feeds that contain animal protein products that are approved for ruminants such as pure porcine meat products.

Dr. Bob Brufina
BSE - Feed Cont. Issue - trans
unlike CWD

Started Surv. in 90's

6 1/2 year old COW -

Meaning it was

Born prior to feeding ban.

Youns → Asked Ehlendorf if this
is an ag industry issue to
address or a consumer protection
issue → feels industry
should not bear the brunt
of the cost of this.

Schultz → Hughes lecture wants to
do everything possible to
give DATCP tools to take
action re. BSE

