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ALBERTA ASSOCIATION of MUNICIPAL DISTRICTS & COUNTIES

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GERALD RHODES - Executive Director

December 18, 2003

Docket No. 03-080-1
Regulatory Analysis and Development, PPD
APHIS
Station 3C71, 4700 River Road Unit 118
Riverdale, MD 20737-1238

Dear Sir or Madam:

On behalf of the board of directors and membership of the Alberta Association of Municipal Districts and Counties (AAMD&C), I would like to comment on Docket No. 03-080-01. This proposed rule would amend 9 CFR Parts 93, 94 and 95.

For your information, the AAMD&C represents all 68 rural municipalities in the Canadian province of Alberta. The livestock industry is the most important economic sector in many of our member municipalities, and a major generator of jobs and revenue for almost all our members. Many members of the local government councils that belong to our association are cow-calf operators or are otherwise involved in the livestock industry, and have been directly impacted by the closure of export markets to Canadian ruminants and ruminant products and byproducts following the announcement that bovine spongiform encephalopathy (BSE) had been discovered in a single cow in northwestern Alberta on May 20, 2003.

The AAMD&C is supportive of the proposed rule creating a category of regions that present a minimal risk of introducing BSE into the United States, and assigning Canada to this category. In our view, this proposal accurately reflects both the quality of risk mitigation measures to protect human and animal health from BSE and the state of surveillance and reporting with respect to BSE and other livestock diseases in Canada. The proposal affirms the commitment of the United States government to science-based rules aimed at protecting animal and human health.

The association is also generally supportive of the proposal to allow the importation of certain live ruminants and ruminant products and byproducts under certain conditions, most notably an age limit of less than 30 months for live bovines and bovine products, and the requirement for a certificate issued by a veterinarian from the Canadian Food Inspection Agency (CFIA) attesting to age and the fact that animals are not known to have been fed ruminant protein other than milk protein.

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These conditions are appropriate based on current knowledge about BSE and its transmission. However, the AAMD&C would urge USDA to review the conditions contained in the proposed rule at least two years following the reopening of the U.S. border to certain Canadian ruminants and ruminant products and byproducts. In this way rules governing trade in livestock, meat and other products will continue to reflect the latest scientific findings.

As an example, we note that research is ongoing into BSE tests for live cattle. A new test called the conformation-dependent immunoassay (CDI) is being developed at the University of California-San Francisco, and reportedly shows a great deal of promise. The hope is that this automated test could allow much larger numbers of animals to be screened in a short period and may be able to detect BSE well before symptoms appear. The widespread use of such a test would allow health authorities to pinpoint the extent of an incidence of BSE or other transmissible spongiform encephalopathy and take appropriate measures to eliminate infected animals. Reaching this level of surveillance and mitigation should result in appropriate changes to the conditions for importing Canadian ruminants and ruminant products.

The proposed rule states that no natural cases of BSE have yet been discovered in sheep, goats or cervids, although sheep have been infected in the laboratory. Once again, as testing improves or becomes more widely applied, USDA should revisit the age limit for importing ovines, caprines and cervids and their meat from Canada.

A future review of the regulations governing the importation of live ruminants and ruminant products could also determine that the proposed rule's requirement for a veterinary certificate is no longer needed. One possibility would be for USDA inspectors to certify Canadian feedlots as being in compliance with U.S. regulations, to inspect feed and conduct random testing. This would allow the freer movement of ruminants at the border.

Although it is outside the scope of the proposed rule, the AAMD&C would urge USDA to continue to work with the U.S. and Canadian livestock industries and the CFIA to enhance surveillance, reporting, monitoring and risk management in a consistent and coordinated way.

In a similar vein, our association would strongly support the signing of an agreement between the United States, Canada and Mexico governing cooperation between the NAFTA partners on matters of livestock and human health, including a

harmonized approach to dealing with BSE and other livestock diseases. As an indication of our desire to address livestock health regulations that can serve as an impediment to trade, at a meeting on October 6, 2003, I joined a delegation of municipal officials in urging the Honorable Lyle Vanclief, the Canadian minister of agriculture, to remove the requirement that U.S. feeder cattle be tested for bluetongue and anaplasmosis prior to entry into Canada.

Thank you for the opportunity to comment. If you have any questions about this letter, please contact Policy Analyst Patrick Martin at the AAMD&C office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Hayden', with a long horizontal stroke extending to the right.

Jack Hayden
President

JH/jpm