

January 16, 2004

Division of Docket Management
HFA-305
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

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RE: Docket No. 2003N-0400. Interim Final Rule: Control of Communicable Diseases; Restrictions on African Rodents, Prairie Dogs and Certain Other Animals

I respectfully submit the following comments on Docket No. 2003N-0400. Interim Rule: Control of Communicable Diseases; Restrictions on African Rodents, Prairie Dogs and Certain other Animals.

I commend the FDA and CDC for their recognition that the monkeypox virus outbreak was a direct result of the potentially dangerous and often unregulated exotic pet trade and beginning the first steps in brining this growing industry in check.

As an educator and a professional member of the AZA I want to express some of my concerns about the ruling.

- Prairie Dogs are animals that are used by a variety of educators for Outreach programming using live species. They are a species that is utilized to cover a variety of topics, from prairie habitat preservation, the ecology of interdependence of species (ties to Black footed ferrets, diamond back rattle snakes and a variety of endangered grasses and plants), endangered species (Burrowing Owls), as well as the delicate balance of dealing with human animal management and individual species needs (cattle ranching verses prairie dog towns). This is a key note species for a lot of programming on these issues for the Columbus Zoo Outreach programs as well as educators that I know in South Dakota and Colorado. The documentation of using live animals to enhance learning is well documented. These animals are used to enhance the work of both state and federal wildlife agencies. This ruling will negatively affect Outreach programming education.

- The regulation could affect our ability to generate dollars for our Conservation Education Department because of limiting species that are used for our live animal education demonstrations. These regulations are beginning to greatly limit the ability to use rodents which are critical for all programs. Yes, we use a domestic rat to share with audiences but a porcupine or prairie dog brings much more to the table to excite the zoo guests and school children that are reached with our programs. Schools and groups do not want us to come to their school with a dog, domestic cat and rat, animal show. They want to see and experience the unusual animals up close. The regulations will begin to financially crunch small and large outreach facilities that use these animals for paid programming. There are many of my colleagues that only take limited numbers animals on the road for their outreaches. The more the federal regulations restrict what people are able to do, the more negative impact on finances for small animal education outreach operations. This is not something that the Bush administration preaches. Opening markets is much more valuable to educators.

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- The regulations being set up are even are open ended! The federal government could restrict more rodents which at this time make up the majority of our zoo's school outreach collection (Columbus Zoo and Aquarium). This forces more educators to use more potentially dangerous animals (carnivores such as Ocelots and pumas) for programming. This is a concern to federal agencies because more dangerous things could happen to the public education programs. More people were injured this year by large cats in education programs than the Monkey pox virus. The regulations are tough enough dealing with powerful lobbyists such as the beef industry with Brush Tailed porcupines, banned due to bovine disease transference. Why is the government attacking rodents? The Republican administration under President Bush is not into restricting job and economic potential. President Bush's view is to open up the economic development especially for small business operations. Zoo education programs would easily fit into that category. There were a large number of zoos that need the economics generated from their outreach budgets to help their zoos. The year 2003 was economically tough for many zoos. Do not restrict any economic development with these facilities.

- This also displaces a large number of animals that will covered by the "sunset" rule. Prairie dogs with proper care can live up to 15 years. This rule will hard to enforce because I have animals that are half of that age that will spend the majority of their lives with no social contact from the humans that imprinted them. Many facilities will be stuck with animals that will not have any place to go. An example will be animals that are now on surplus lists. Some zoo facilities have recently built and created prairie dog colony exhibits. They planned on exhibiting Prairie dogs for many more years. Those facilities will not have dogs to replace those collections. There will be no market for small individual breeders to breed Prairie dogs because not only will the pet industry dry up but also legitimate education exhibit collections will no longer be importing animals across state lines and even intrastate commerce as well. Again an example of how the regulations will negatively impact economically individuals due to this restrictive law.

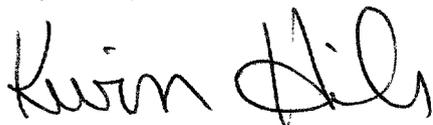
- I fear this law will continue to reduce the use of animals for positive education animal programming. Zoos have to have the ability to use animals for education. AZA accredited zoos would never allow an animal into their collection that would have a negative impact on both their captive population and the ability to create a zoonotic transfer to a zoo guest. The law economically penalizes zoos who are accredited and place their animals in set quarantines before allowing their animals to be introduced to their collection and to their guests. What is very tough to see in this situation with Monkeypox is the animal that started the outbreak either illegally or improperly was allowed into the US. It was then introduced into an animal auction. The law as I said is excellent because it restricts this dangerous level of pet trade. But it penalizes AZA facilities that have strict quarantine procedures in place. AZA accredited zoos do not want an exotic disease introduced to their collection because of the negative affects to their facility. The law being implemented restricts zoos that do an excellent job at animal quarantine care and disease outbreak.

- The law will greatly endanger an animal that is presently threatened with human encroachment. This labeling of an animal will make them a target to get them away from the public due to their ties to monkey pox. They are already threatened with strains from cattle ranching and ties to plague. Animals will be destroyed for a very small threat. Threats from disease transference from WNV should be a greater concern for the public than monkeypox. This law will push the prairie dog toward extinction. People will not preserve and protect but will want to remove them as dangerous to humans. Prairie Dogs are the Passenger Pigeon of my generation.

-There are over 68 AZA zoos that house Prairie Dogs in their collections. At least 15 of those facilities house major exhibit colonies for the zoo's guests utilizing Black Tailed Prairie Dogs. That means well over 50 of those facilities use Prairie Dogs for their education presentation

collections. These programs reach large audiences. The Columbus Zoo had about 1.3 million visitors last year alone. This law will greatly reduce the ability for the USFWS to get the message out about prairie restoration. Our Education Outreach and show audience number alone in Central Ohio reaches well over 150,000 people a year. These are presentations where we use live animals. We have used Prairie Dogs at the Columbus Zoo and Aquarium for over 15 years without any incidents. Prairie Dogs are an important cog in the outreach programming work we do. Please consider allowing AZA accredited facilities to use Prairie Dogs and the other listed African Rodent species for Education purposes, but to not allow audience contact with those animals to take place. The animals that are used go through very strict quarantine procedures and the chances of them transferring the disease would be greatly limited. The animals as a non-contact animal would virtually make the chance to transfer the disease to an audience as nil.

Thank you for your consideration.



Kevin Hills
Columbus Zoo and Aquarium
Conservation Education Department
Shows Supervisor
IAATE Past President
AZA Professional Member



Columbus ZOO
and Aquarium

KEVIN HILLS

Shows Supervisor

"Wings of Flight!"

(614) 645-3408

FAX (614) 645-0555

E mail: kevin.hills@columbuszoo.org

9990 RIVERSIDE DRIVE • BOX 400 • POWELL, OHIO 43065-0400