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## INDIANA STATE BOARD OF ANIMAL HEALTH

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Docket No. 2003N-0400  
United States Food and Drug Administration  
Division of Dockets Management (HFA-305)  
5630 Fishers Lane, Room 1061  
Rockville, MD 20852

### Comments on Docket No. 2003N-0400

I am writing for the Indiana State Board of Animal Health (BOAH).

Indiana's recent experience with monkeypox in animals and humans has sharpened BOAH's interest in the disease threat posed by exotic species. BOAH is particularly concerned that a person importing exotic animals creates a disease threat to the animals and humans of the country with very little, if any, analysis and oversight by the United States Government. As the recent monkeypox outbreak illustrated, once exotic animals are imported and distributed it is very difficult to contain a disease threat. There are animals in this country epidemiologically linked to the recent monkeypox outbreak that will never be found. Careful consideration of potential disease threats from exotic animals prior to import is a better method for dealing with the issue.

#### Revocation or modification of the CDC rule.

The comments to the proposed rule indicate that CDC does not anticipate revoking the prohibition on import of African rodents and other animals the Director of CDC specifies. BOAH supports the prohibition on the import of African rodents and believes the prohibition should continue indefinitely.

BOAH agrees that the Director of CDC should have the authority to specify that animals from any country be prohibited from import. The Director of CDC should, as soon as possible, undertake a review of the disease risks associated with the movement of exotic animals into the country. The CDC should strongly consider prohibiting the movement of all exotic animals into the country, with reasonable exceptions for research.

BOAH is concerned that the Director of CDC's authority could be used in matters involving livestock and poultry and meat and poultry products. Regulation of the import of livestock and poultry and meat and poultry products should remain with the United States Department of

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Agriculture. The USDA and the CDC should establish protocols and relationships necessary to manage issues of mutual concern.

Revocation or modification of the FDA rule.

The comments to the proposed rule indicate that FDA intends to modify or revoke the interstate movement ban “if no further monkeypox cases are identified in the United States and if there is no new information warranting an extension of the 6-month time period”. The stated goal is to be sure that monkeypox is “eradicated or adequately controlled so that the virus does not become established in the United States.” The modification or revocation could occur as soon as January 20, 2004.

BOAH agrees that eradication of monkeypox in the United States is the appropriate goal. BOAH is concerned that lifting interstate movement restrictions in January 2004 is not consistent with the goal of monkeypox eradication. There are currently animals on premises in more than one state that are linked epidemiologically to the monkeypox outbreak. Some of these animals are under state quarantine. But, other animals are no longer under any quarantine order. The only restriction preventing their movement is the FDA interstate movement prohibition. If the FDA rule is repealed, the following may result:

1. States with quarantines or other orders on animals because of monkeypox will be under increased pressure to withdraw their quarantines and orders because it will appear as if monkeypox is no longer a problem. States may not be able to justify to third parties, courts for example, the continued quarantine of animals because of monkeypox.
2. A person could move an asymptomatic carrier of monkeypox and inadvertently spread the disease. Absent a live animal test for monkeypox, how can FDA be confident that the disease is eradicated or adequately controlled? The incubation period for monkeypox in many species is not yet known. Perhaps research is or will be conducted that will determine the incubation period for monkeypox in various species. Modifications to the FDA rules may be appropriate if incubation periods are determined and additional information about the potential for asymptomatic carriers is discovered.

Preventing outbreaks of zoonotic diseases.

The movement of any animal into the United States should be regulated by a federal entity for the purpose of preventing the spread of disease. Currently there are many species of animals imported without regard for disease issues. The responsible federal agency or agencies should have the authority to prescribe conditions that must be met to move animals into the country and the authority to prohibit the movement. The federal government should consider prohibiting the movement of all exotic animals into the United States, with reasonable exceptions for research.

The federal government should have a focused and coordinated plan for limiting the distribution and movement of any animal, group of animals, or species of animals that is a health hazard to people or animals. This plan should address scenarios involving resident animals and native species as well as imported animals. The United States Department of Agriculture should maintain its authority for livestock and poultry issues. Either the USDA or one other federal agency should have primary authority for adopting and implementing rules governing disease issues arising from all other species.

Thank you for the opportunity to comment. Please contact me if you have any questions about these comments.

Sincerely,

A handwritten signature in black ink that reads "Bret D. Marsh". The signature is written in a cursive style with a long, sweeping underline.

Bret D. Marsh  
Indiana State Veterinarian