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Philip L. Chao
Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

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Re: Interim Rule to Prevent Spread of Monkeypox [Docket No. 2003N-0400]

Submitted via e-mail: fdadockets@oc.fda.gov and Airborne Express

Dear Mr. Chao:

The following comments are respectfully submitted on behalf of PETA and its 800,000 members and supporters worldwide regarding the interim final rule to prevent the spread of monkeypox in the United States.

We applaud and support the FDA's decision to "prohibit capture, offers to capture, transport, offers to transport, sale, barter, or exchange, offer to sell, barter, or exchange distribution, offers to distribute, or release of [prairie dogs, tree squirrels, rope squirrels, dormice, Gambian giant pouched rats, brush-tailed porcupines, and striped mice] into the environment regardless of whether the activity is interstate or intrastate." As the serious monkeypox outbreak in the U.S. last year indicates, there is a dire need for strict measures to prevent a recurrence of this disease, and the introduction of other zoonotic diseases as they pose a serious risk to both human and native animal populations.

Further, we agree that "the introduction of monkeypox into the United States shows that we need to develop measures to prevent or minimize the likelihood of other zoonotic disease introductions or outbreaks." The only way to ensure that there are no further disease outbreaks is to work to institute a ban on the sale of all animals that may harbor serious zoonotic diseases. It is noted that "Firms that supply prairie dogs and other listed animals as pets would be unable to do so and would have to switch to different animals." It is imperative that the measures taken to eradicate monkeypox and prevent further outbreaks are more far-reaching and should extend to the examination of zoonotic diseases posed by other animals, particularly exotic and native wildlife. As is appropriately being done with the monkeypox issue, these measures should evaluate the potential impact these diseases could have on human populations and native animal populations. As you know, should monkeypox or a similar zoonotic disease reach native animal populations, it would be virtually impossible to contain.

In the U.S. alone, there are more than 150 zoonotic diseases, reports Dr. Kathy Smith, state veterinarian for the Ohio Department of Health. Michael Osterholm, a government advisor on infectious diseases who works at the University of Minnesota, warned, "This is a harbinger of things to come." Peter Jahrling, a scientist at the U.S. Army Medical Research Institute stated, "There are some of us who feel like lone voices in the night [in calling for better scrutiny]. Perhaps incidents like this might bring some much-needed re-examinations." Dr. William Maher, an infectious-disease expert at Ohio State University stated, "You always are taking chances when you take animals from a habitat they have been living in for hundreds of years and bring them somewhere else." Dr. Julia Gill,

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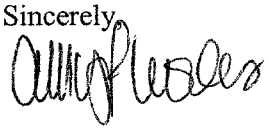
epidemiology program manager for Florida's Pinellas County Health Department noted, "This situation highlights the risk of importing exotic animals."

Past efforts to control zoonotic diseases, such as E. coli from animals in petting zoos, salmonellosis from reptiles, and tuberculosis from contact with elephants, have proved ineffective in preventing the spread of these diseases. In each of the past several years, the CDC has documented hundreds of cases of (sometimes deadly) E. coli infections that resulted from contact with animals in traveling displays. The CDC also reports that more than 90,000 people per year contract salmonella from direct or indirect contact with reptiles. Unchecked by the minimal testing requirements imposed by the USDA, *Mycobacterium tuberculosis* is still infecting and killing captive elephants, and a growing number of people who come in contact with elephants are testing positive for this highly contagious lung disease. Many cases of other-than-human primate disease transmission to humans have also been documented.

We respectfully oppose the proposed alternative that would end "the domestic restrictions by January 2004, unless we made a determination that the ban was necessary to protect health and safety." As previously stated, it is not possible to ensure that a disease is contained, or that a new disease is not introduced, unless an animal suspected of transmitting the disease is banned from intrastate and interstate commerce.

Again, we thank the FDA and CDC for acting to ensure public safety by addressing this important issue. We urge you to continue to work to address the additional serious zoonotic concerns associated with the exotic "pet" trade. Thank you for your consideration of these comments.

Sincerely,



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