

Roger Johnson  
AGRICULTURE COMMISSIONER

Dr. Larry Schuler  
STATE VETERINARIAN

Dr. Susan Keller  
DEPUTY STATE VETERINARIAN

Francis Maher, Menoken  
PRESIDENT  
COMMERCIAL BEEF CATTLE

Jody Hauge, Carson  
SECRETARY  
SWINE

Dr. Charlie Stollenow, Fargo  
CONSULTING VETERINARIAN



STATE BOARD OF ANIMAL HEALTH

ND Department of Agriculture  
600 E. Boulevard Ave. Dept. 602  
Bismarck, ND 58505-0020  
(701) 328-2655  
1-800-242-7535  
FAX (701) 328-4567

Dr. Dick Roth, Fargo  
VETERINARIAN

Jeff Dahl, Gackle  
REGISTERED PUREBRED CATTLE

Paula Swenson, Walcott  
SHEEP

Nathan Boehm, Mandan  
DAIRY CATTLE

Dr. W.P. Tidball, Beach  
VETERINARIAN

Dr. Kenneth Throlson, New Rockford  
BISON

Shawn Schafer, Turtle Lake  
NONTRADITIONAL LIVESTOCK

January 20, 2004

**Docket No. 2003N-0400**

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

To Whom It May Concern:

Thank you for the opportunity to comment on the proposed rule which addresses the attempt to control communicable diseases, through restriction of African rodents, prairie dogs, and certain other animals. These comments are being submitted on behalf of the North Dakota State Board of Animal Health in reference to Docket #2003N-0400.

The reporting of the first case of monkeypox in the United States (US) in May of 2003 brought to the forefront the lack of regulations addressing the importation of many exotic animals. As is often the case, regulatory measures were reactive versus proactive in addressing the introduction of this disease. If the animal(s) responsible for the introduction of the disease into the US had been prevented from being introduced into the pet industry market, the introduction of the disease, the damage done to the pet industry market and most importantly, the zoonotic concerns could have been prevented. The purpose of this proposed rule is to address the means to prevent the introduction of diseases that are detrimental to animal and human health.

**Agency Responsibilities:**

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. A federal plan needs to be coordinated and focused on limiting the distribution and

2003 N-0400

@ 74

movement of any animal, group of animals, or species that is a health hazard to people or animals. USDA should maintain its authority for livestock and poultry issues. Prohibition of the movement of all exotic animals into the United States should be considered, with few exceptions allowed. Although needed, this is a rather precedent setting regulation, which is broadly written. Since various exotic species could ultimately be restricted under the proposed language, the ability for the American Zoo Association (AZA) zoos and researchers to request exemptions in an efficient and noncumbersome process is of paramount importance.

### **Species of animals and disease addressed by the proposed rule:**

The proposed rule specifically names various species that were included in a shipment with the infected animal(s). That list however, does not necessarily include all species that are susceptible to monkeypox virus, but rather, is based on the circumstantial association of various species that were in contact with a particular shipment of animals into the United States. It is responsible to make the list flexible since it is likely that other species may be equally susceptible, and once identified, can be restricted as needed. According to Dr. Osterholm, the director of the Center for Infectious Disease Research and Policy, and a professor of public health at the University of Minnesota, the worldwide trade in exotic pets has done two things that are practically a recipe for spreading exotic diseases. First, International trade transports animals like the giant Gambian rats across the ocean and brings them together with species that they would never encounter naturally, such as prairie dogs. Second, the trade has brought people close to animals and to diseases they had no contact with before. HIV, Ebola virus, Nipah virus and SARS are all examples of agents that typically are of animal origin, but can cause severe illness in people. We know little about viruses in wild animals. Every species of wild animal likely carries its own distinct viruses and those that can infect the human population can lead to some dangerous surprises. The proposed rule is deficient in that it only addresses one exotic disease concern, monkeypox virus.

### **Monitoring movement of exotic animals:**

Since this country is currently in the midst of implementing a mandatory identification plan in the United States, it would seem that one of the glaring holes is animal identification needs. In the past, there has been the complete lack of monitoring foreign/exotic animals being brought into the US. While the pet industry is indeed significant, the financial burdens and the human health concerns that were incurred with the May 2003 introduction of monkey pox virus, makes the value of the industry pale in comparison to the risks that are being taken when there are few mitigating protocols in place to minimize those risks.

The exotic pet industry may be a difficult industry to impose restrictions on to monitor movements of those animals, because of the emotional attachments people have for their pets. It would seem that the process needs to be streamlined though and that it would be more efficient to have the regulation of the exotic pets under the jurisdiction of one agency versus split jurisdictions leading to quick action when a disease has been introduced. The pet stores that normally handle nonexotic species were also economically impacted due to the introduction of animals that carry a disease that can be passed between species. The proposed rule will serve to protect pet store owners from the introduction of a disease that could be devastating to their businesses. States currently have varying regulations which increases the risk of introduction of diseases through the movement of exotic pets into all states. A coordinated plan, such

as a Uniform Method and Rules, needs to be developed to give guidance to states for regulating interstate movements for exotic animals.

Wild to wild translocations of animals may also be necessary to maintain animal populations and the ability to make those allowances is supported but only under extreme circumstances. However, adequate input and consensus must be received from domestic animal health officials, scientists, domestic industry representatives along with wildlife specialists, before any translocations are approved. There are many historical examples of translocations that have been detrimental to domestic animal health, wildlife health and the environment. Once introduced, it must be acknowledged that alien disease species pose not only a threat to humans, but can destroy wildlife and natural ecosystems and may be more costly in the long run than many forms of pollution. Biological invasions are usually irreversible from the simple fact that biological agents reproduce and spread from animal to animal or from animal to humans.

And finally, there must be swift enforcement of movement restrictions and penalties applied for those found in violation if the rule is to be effective.

Sincerely,

A handwritten signature in cursive script that reads "Susan J Keller DVM".

Susan J Keller DVM  
Deputy State Veterinarian  
North Dakota State Board of Animal Health  
600 E. Blvd. Dept 602  
Bismarck, North Dakota 58505  
701-328-2657

</PLAINTEXT><PRE></PRE></Q></S></SAMP></SCRIPT></SELECT></SMALL></STRIKE></STRONG></  
<UL></UL></VAR></WBR><XMP></XMP>  
<HR>

<H3>Error Occurred While Processing Request</H3>

<P>

<TABLE border=1>

<TBODY>

<TR>

<TD>

<H4>Error Diagnostic Information</H4>

<P>ODBC Error Code = S1000 (General error)

<P>

<P>[Oracle][ODBC][Ora]ORA-01704: string literal too long

<P>

<P>

<P>The error occurred while processing an element with a general  
identifier of (CFQUERY), occupying document position (40:3) to  
(40:52).</P>

<P>

<P>Date/Time: 01/21/04 01:27:31<BR>Browser: Mozilla/4.0 (compatible; MSIE

6.0; Windows 98)<BR>Remote Address: 64.215.165.2<BR>HTTP Referrer:

http://www.accessdata.fda.gov/scripts/oc/dockets/comments/COMMENTmodify.cfm?CI

<P></P></TD></TR></TBODY></TABLE>

<P>

<HR>

</BODY></HTML>

*I attempted to submit comments on the appropriate  
website on January 20, 2004, but this error message  
(and January 21st, 2004) occurred. Written comments are therefore being submitted.*

*Spencer Keller DVM*