



United States  
Department of  
Agriculture

June 16, 2003

Marketing and  
Regulatory  
Programs

To: W. Ron DeHaven  
Deputy Administrator

From: APHIS TSE Working Group  
Lisa A. Ferguson, Chair

Subject: Recommendations of APHIS TSE Working Group for allowing certain commodities from Canada to be imported into the United States

Animal and  
Plant Health  
Inspection  
Service

Veterinary  
Services  
4700 River Road  
Riverdale, MD  
20737

The APHIS TSE Working Group has evaluated the commodities from Canada based on the risk of each commodity introducing BSE into the United States. The group categorized each commodity as low, moderate, or high risk based on both the inherent risk of the product and the effectiveness of the potential mitigation. The group has listed the mitigations needed for each commodity. Trade in some of the commodities such as hunter harvested wild animals could resume as soon as appropriate guidance documents can be drafted, while others may require actions by other agencies. The list of specific recommendations is attached.

Although Canada has completed their epidemiological investigation of their first case of BSE and have not found additional cases, it is too early to know the true prevalence of BSE in Canada. Until the prevalence of BSE in Canada is determined it will be impossible to quantify how much additional risk some of these commodities present to the United States. Once the prevalence of BSE in Canada is determined through additional surveillance, the risk of these commodities can be reassessed and actions taken to either decrease or increase the restrictions.



Safeguarding Animal Health

AR009392A

## **Scientific and Trade factors Associated with the risks of Importing Canadian Commodities: Differences between Canada and other BSE Affected Countries**

- ✓ Unlike other BSE affected countries Canada implemented a feed ban 5 years before BSE was identified in a native Canadian cow. This action makes it probable that the BSE amplification that occurred in other countries did not occur in Canada. This theory is supported by Canada's 2002 surveillance on their high risk population that was based on detecting 10 cases in 1 million adult cattle.
- ✓ Canada had similar risk factors to those of the United States. Moreover, Canada and the United States undertook very similar BSE risk mitigation actions during the same time frames.
- ✓ Our substantial past trading relationship with Canada and the shared land border makes them a unique trading partner. Canada and the U.S. share one of the world's largest bilateral trade relationships. The U.S. imported 1.7 million head of live cattle from Canada in 2002, most for the purpose of slaughter. The U.S. is the primary destination for Canadian beef exports. Of the 1.2 million metric tons of beef exported by Canada in 2002, 83 percent of the product was destined for U.S. markets. Therefore, it is logical to accept that we may have some additional risk. However, we must continue to protect the health of US livestock and the public and preserve our trading relationships with the rest of the world. Consideration should be given to maintaining a harmonized plan to protect the North American Market.
- ✓ The BSE animal was born prior to the Canadian feed ban. Therefore, infection in this cow does not suggest a failure of the feed ban.

Therefore, there is a basis for considering Canada in a different risk category than other BSE-affected countries. However, APHIS, VS needs to determine the extent of the BSE risk from Canada and to determine if the risk can be adequately mitigated for certain trade commodities in order to prevent unnecessary or unintentional trade impacts. At the same time, US livestock must not be subjected to increase risk of BSE, so we need to be careful and take sufficient time to assess the BSE risk of the import of animals or products. We must use caution and not reduce restrictions without sufficient reason or scientific basis and place ourselves (and Canada) in the position of having to accept "high risk" products from other BSE countries.

## General Recommendations:

Significant trade in the commodities currently prohibited because of BSE should not resume unless and until:

- Adequate information is available from the Canadian epidemiological investigation to determine the source and extent of the outbreak;
- Targeted surveillance is being conducted at a level sufficient to detect BSE at a rate of less than 1 case per million adult cattle;
- All feed produced from the positive animal has been located and destroyed and any ruminants that may have consumed the feed have been destroyed.
- An assessment is completed to determine whether the BSE risk mitigation steps applied by Canada are sufficient. These should include:
  - SRM removal from human and animal food
  - Dedicated rendering facilities and mills for processing of ruminant byproducts
- An assessment of the trade impacts with Canada and the rest of the world that would result from the resumption of trade is completed;
- The US and Canada have reviewed the proposed changes to insure that the changes if applied to other low risk BSE countries will not adversely impact North America's BSE risk.
- Additional BSE risk mitigation steps are put in place in the US to address the handling of waste from edible product and from the byproducts from slaughter animals imported from Canadian including:
  - SRM removal from human and animal food
  - Dedicated rendering facilities and mills for processing of ruminant products
  - Elimination of the U.S. plate waste exemption by FDA or APHIS

If additional BSE cases are identified in Canada additional steps will be necessary.

In addition, the U.S. should take actions to further mitigate the actual and perceived risk that the resumption of significant trade in the commodities currently prohibited because of BSE will affect the safety of our domestic product. These include:

- Finalize the MOU between FDA, CVM and APHIS to educate producers and encourage feed ban compliance at the farm level;
- Urge the FDA to strengthen the feed ban to include:
  - Dedicated facilities both for rendering and feed mills. Do not allow flushing as a means of separating ruminant and non-ruminant product,
  - Remove plate waste and blood exemptions,
  - Prohibit poultry litter in ruminant feed.
- Urge FDA to take actions to prohibit the feeding of distressed pet food to cattle, and require labeling to state that the product should not be fed to ruminants, given that the highest risk segment of the cattle population (dead and down dairy cattle) is being used in pet food.

- Urge FSIS to require removal of SRMs and to exclude vertebral columns from animals over 24 months of age for use in AMR

Please refer to the attached draft spreadsheet for groups of commodities with a preliminary assessment of the BSE risk level presented by the type of animal or product. Risk level was assessed using the following criteria:

- Whether or not the product contains tissues or was derived from tissues that may contain infectivity
- Whether or not cross contamination of the product could occur with tissues that may contain infectivity
- Whether or not the product may be used to feed or treat livestock
- Whether or not the risks can be effectively mitigated
- In the case of live animals or products; whether the animals was born after the feed ban
- In the case of live animals; whether the tissues that may contain infectivity could be removed and safely handled without cross contamination of the carcass in US plants.

**Definitions of terms used in the chart:**

**Prohibited material** – any material that is prohibited for use in ruminant feed under the Canadian Feed Ban.

**CFIA verification** – certification of a fact based on observations made by a government employed inspector

**Processed animal protein** – meat meal, bone meal, meat and bone meal, blood meal, dried plasma and other blood products, hydrolyzed proteins, hoof meal, horn meal, poultry meal, feather meal, fish meal, and any other similar products.

**Removed or removal** – removed from the carcass in a manner that will prevent contamination of other tissues and safely disposed of such that it can't be used in human or animal food.

<b>**CONFIDENTIAL** TSE WG Recommendations for Consideration</b>		<b>Canadian Commodities Preliminary Risk Assessment for BSE</b>	
<b>Description</b>	<b>Risk</b>	<b>Required Risk Mitigations</b>	<b>Current Situation</b>
<b>Live Animals</b>	<b>Low Risk</b>		
Veal calves, imported for immediate slaughter at 36 weeks of age or less	low risk	VS-127, sealed direct to slaughter, CFIA verification that the calves are 36 weeks of age or less, CFIA verification by inspection of the facility and certification that the calves are milk fed only, or fed milk replacer that was either of US origin or did not contain mammalian protein other than milk protein or US origin material approved for use in feed for ruminants and did not contain ruminant tallow other than tallow sourced from a BSE free country. Must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; Calves come in through VS designated ports of entry	Currently some calves in Canada receive U.S. origin milk replacer containing dried bovine blood, lard, and tallow of U.S. origin. A significant proportion of the calves are of U.S. origin. Canadian regulations require that US origin veal calves are slaughtered at 36 weeks of age or less
bovine embryos	low risk	Import permit, CFIA to certify that donors were clinically healthy at time of collection	Currently permit requires multiple statements regarding the health of the donor, its dam and a statement concerning feeding practices.
<b>Harvested Wild Ruminant Products</b> (personal use, meat and bones from two animals)	<b>Low Risk</b>		
Whole dressed carcass or meat of wild sheep, goats, other non-cervid ruminants for personal use	low risk	CFIA to verify annually that feeding processed feed to wildlife is not a common occurrence in the province where the animal was harvested; Hunter must show proof animal was a legally harvested wild (not ranched) animal. Such proof will include the hunting license or equivalent.	A recommendation is moving forward from the TSE WG that the administrator permit the entry of these commodities with the mitigations listed. The May 29, 2003, Veterinary Services published a Federal Register Notice which included Canada on the list of countries that are known to have BSE included a provision that the Administrator may, in specific cases, permit ruminants or ruminant products to be brought into or through the United States under specific conditions which would prevent the introduction of BSE in the U.S.

AR009392E

Whole dressed carcass or meat of wild cervids for personal use	low risk	CFIA to verify annually that feeding processed feed to wildlife is not a common occurrence in the province where the animal was harvested; Hunter must show proof animal was a legally harvested wild (not ranched) animal. Such proof will include the hunting license or equivalent.	A recommendation is moving forward from the TSE WG that the administrator permit the entry of these commodities with the mitigations listed.
Nunavut Caribou and Musk Ox meat bone in or bone out fresh or frozen	low risk	CFIA to annually verify that there is no feeding of mammalian protein; Verification that meat is from wild animals harvested on Nunavut lands, dedicated facility, and removal of brain and spinal cord prior to processing.	A recommendation is moving forward from the TSE WG that the administrator permit the entry of these commodities with the mitigations listed.
Cleaned hide and trophy of wild ruminants (skull and antlers) free of tissue including brain and lymphoid tissue, for personal use	low risk	Allow entry with proof that animal was legally harvested.	A recommendation is moving forward from the TSE WG that the administrator permit the entry of these commodities with the mitigations listed.
Finished hide and trophy	low risk	Unrestricted	Currently unrestricted
<b>Meat, offal, and products</b>	<b>Low Risk</b>		
Veal from calves 36 weeks of age or under	low risk	CFIA verification that the calves were 36 weeks of age or less when slaughtered and are not known to have been fed prohibited products during their lifetime and that either tonsil and intestine were removed or that the calves from which the veal was produced met the requirements for the import of milk fed veal calves	Currently prohibited by regulation from BSE countries
Bovine Meat Cuts, Boneless Fresh or Frozen (no ground meat) from animals under 24 months of age	low risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; brain and spinal cord are removed prior to processing; Elimination of the U.S. plate waste exemption by FDA or APHIS	Currently prohibited by regulation from BSE countries
Fresh or Frozen Sheep or Goat and alternative livestock in these families from animals under 12 months of age - Boneless Meat - (no ground meat)	low risk	CFIA verification that the animals were under 12 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; no visible nervous or lymph tissue (if frozen verify no visible nervous or lymphoid tissue prior to freezing); Elimination of the U.S. plate waste exemption FDA or APHIS	Currently prohibited by regulation from BSE countries
Fresh or Frozen Farmed Cervid meat bone in or bone out, ground meat/sausage must be cervid or cervid and non-ruminant (pork) only	low risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; No visible nervous or lymphoid tissue (if frozen, verify no visible nervous or lymphoid tissue prior to freezing). Animals must be members of a herd enrolled in a program that meets the standards of the Canadian Chronic Wasting Disease Herd Certification program.	Currently prohibited by regulation from BSE countries
Farmed shooter bulls or bucks (cervids) - meat bone in or bone out, ground meat/sausage must be cervid or cervid and non-ruminant (pork) only, antlers, skull, and hide	low risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; No visible nervous or lymphoid tissue (if frozen, verify no visible nervous or lymphoid tissue prior to freezing). Animals must be sourced from a herd enrolled in a program that meets the standards of the Canadian Chronic Wasting Disease Herd Certification program.	Currently prohibited by regulation from BSE countries

hide and trophy.	low risk	unrestricted	Currently unrestricted
Fresh or Frozen Bovine Liver	low risk	Certificate indicating pure liver, species and country of origin	Currently prohibited by regulation from BSE countries
Animal feed including milk replacer and pet food, and feed ingredients containing processed animal protein and tallow of non-ruminant origin only	low risk	Import permit-CFIA to certify based on inspection non-ruminant source and dedicated facility (Note: milk and milk protein are permitted to be of ruminant origin)	Currently imported by permit
Gelatin from hides	low risk	Certification from CFIA that it is hide derived	Currently allowed
Gelatin from bones of cattle under 24 months of age	low risk	CFIA verification that skull and spinal columns are not used	Currently prohibited by regulation from BSE countries
Tallow for none animal feed use	Low risk	Permit with restriction for other than animal feed use	
Tallow derivatives	Low risk	Unrestricted	
Preps W/Vitamin B12, For Supplementing Animal Feed	low risk	Import permit - CFIA confirm non-ruminant components	Currently imported by permit
Vaccine For Veterinary Medicine for use in non-ruminants	Low risk	Biologics permit	
Finished pet chews made from bone, ligaments or hide	Low risk	CFIA verification that product does not contain brain, spinal cord, skull, spinal column, intestine or tonsil, product must be fully processed packaged or ready to package for final use	
<b>Live Ruminants</b>	<b>Moderate risk</b>		
non-milk fed veal calves 36 weeks or under	moderate risk	VS-127, sealed direct to slaughter; CFIA verification that the animals were 36 weeks of age or less when slaughtered and are not known to have been fed prohibited products during their lifetime; intestines and tonsils removed in US plant under FSIS supervision; must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; calves come in through VS designated ports of entry	Currently prohibited by regulation from BSE countries
sheep and goats under 12 months, imported for immediate slaughter,	moderate risk	VS-127; sealed direct to slaughter; CFIA verification that the animals were under 12 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; offal, head and intact spinal column removed in US plant under FSIS supervision; must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; animals come in through VS designated ports of entry	Currently prohibited by regulation from BSE countries

Bovine under 24 months immediate slaughter	moderate risk	VS-127, sealed, direct to slaughter, CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; removal of brain, spinal cord, intestine, eyes, tonsils at US plant under FSIS supervision; must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; cattle come in through VS designated ports of entry	Currently prohibited by regulation from BSE countries
Bovine under 24 months for feeding in a quarantined feedlot prior to slaughter at under 24 months of age (NOTE: This will be labor intensive and hard to monitor)	moderate risk	VS-127, sealed, direct to an APHIS/State approved terminal feedlot, restricted by the State, seal to be broken by APHIS or State personnel, CFIA verification that the animals are under 24 months of age and are not known to have been fed prohibited product during their lifetime; must be moved to slaughter at less than 24 months of age, removal of brain, spinal cord, intestine, eyes, tonsils at US plant under FSIS supervision; must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; cattle come in through VS designated ports of entry, ear tattoo CAN	Currently prohibited by regulation from BSE countries
Breeding cattle (note: will be labor intensive to track these animals)	moderate risk	CFIA certification that the animals were born after feed ban, Import Permit, to remain under state quarantine until returned to Canada or dead and disposed of appropriately, would need large user fee for inspections, same for US exhibit animals returning from Canada that were fed concentrated feed in Canada, ear tattoo CAN	Currently prohibited by regulation from BSE countries
U.S. animal exhibited in Canada (note: will be labor intensive and difficult to track these animals)	moderate risk	Import permit, must return to US within 30 days, owner must sign compliance agreement that animal will be fed only US origin feed other than hay while in Canada, user fee for tracking animal	Currently prohibited by regulation from BSE countries
Exhibition (note: will be labor intensive and difficult to track these animals)	moderate risk	Import permit, state quarantine, must return to Canada within 15 days, if dies must be properly disposed of, user fee for tracking animal, ear tattoo CAN	Currently prohibited by regulation from BSE countries
Cervids for immediate slaughter	moderate risk	VS-127, sealed direct to slaughter; CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; brain, spinal cord, tonsil, eyes, intestine removed at US plant under FSIS supervision; must revise regulations to tighten up slaughter only process in US so that the seal is broken by and slaughter verified by a USDA inspector; cervids come in through VS designated ports of entry. Animals must be members of a herd enrolled in a program that meets the standards of the Canadian Chronic Wasting Disease Herd Certification program	Currently prohibited by regulation from BSE countries

Meat, offal, and products from ruminants	Risk	CFIA verification	Regulation
Tallow less than 0.15% protein	moderate risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; only animals under 24 months of age; brain, spinal cord, tonsil, eyes, and intestines removed; no dead or down cows used	Currently prohibited by regulation from BSE countries
Bovine Carcass, Whole/Half under 24 months	moderate risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; and brain, spinal cord, tonsil, eyes, intestine removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
Bovine Carcass, Whole/Half over 24 months	moderate risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; and brain, spinal cord, tonsil, eyes, and intestine, intact spinal column, and skull removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
Bovine Meat Cuts With Bone (no ground meat) under 24 months	moderate risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; and brain, spinal cord, tonsil, eyes, and intestine removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
Bovine Meat Cuts With Bone (no ground meat) over 24 months	moderate risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; and brain, spinal cord, tonsil, eyes, intestine intact spinal column and skull removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
Bovine Meat Cuts, Boneless (no ground meat) over 24 months	moderate risk	CFIA verification that the animals were under 24 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; and brain, spinal cord, tonsil, eyes, intestine, intact spinal column, and skull removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
Fresh/Lamb Carcass	moderate risk	CFIA verification that the animals were under 12 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; offal, head and intact spinal column removed; random sample analysis by USDA of any suspicious tissue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	Currently prohibited by regulation from BSE countries
fresh or Frozen Bovine Tongues	moderate risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; tonsil removed; random sample analysis by USDA of any	Currently prohibited by regulation from BSE countries

		suspicious issue to confirm absence of SRM. Elimination of the U.S. plate waste exemption by FDA or APHIS.	
Edible Cervid Offal, Fresh, Chilled or Frozen	moderate risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; No visible nervous or lymphoid tissue (if frozen, verify no visible nervous or lymphoid tissue prior to freezing). Animals must be members of a herd enrolled in a program that meets the standards of the Canadian Chronic Wasting Disease Herd Certification program.	Currently prohibited by regulation from BSE countries
Bones from bovine under 24 months	moderate risk	CFIA verification that the animals were born after the feed ban and are not known to have been fed prohibited products during their lifetime; removal of brain, spinal cord, intestine, eyes, tonsils	
Gelatin from bones that may contain material from cattle over 24 months of age	Moderate risk	CFIA verification that spinal columns and skulls were not used	
Extracts of Glands and Organs	moderate risk	Import Permit required - Each application to be evaluated on a case by case basis. In general extracts of ruminant glands are prohibited except as requested by FDA for human use.	Currently prohibited by regulation from BSE countries
Heparin; Animal or Human	moderate risk	Import Permit required - Each application to be evaluated on a case by case basis. In general prohibited except as requested by FDA for human use.	Currently prohibited by regulation from BSE countries
Ruminant Blood Fractions	moderate risk	Import Permit required - Each application to be evaluated on a case by case basis. In general prohibited except as requested by FDA for human use.	Currently prohibited by regulation from BSE countries
Vaccine For Veterinary Medicine for use in ruminants	moderate risk	Biologics permit	Currently prohibited by regulation from BSE countries
Other Toxins, Cultures of Microorganisms & Similar Products	moderate risk	Biologics permit or NCIE permit	Currently prohibited by regulation from BSE countries
Other Medicament Containing Ruminant material	moderate risk	Import Permit required - Each application to be evaluated on a case by case basis. In general prohibited except as requested by FDA for human use.	Currently prohibited by regulation from BSE countries
Fetal Bovine Serum (FBS)	moderate risk	Import Permit required - Each application to be evaluated on a case by case basis. In general prohibited.	Currently prohibited by regulation from BSE countries

Live Ruminants	High Risk		
Bovine: over 24 months immediate slaughter	high risk	prohibit	Currently prohibited by regulation from BSE countries
Sheep and goats over 12 months immediate slaughter	high risk	prohibit	Currently prohibited by regulation from BSE countries
Meat/offal and products from ruminants	High Risk		
Fresh Sheep or Goat Carcass (includes alternative livestock in these families)	high risk	prohibit	Currently prohibited by regulation from BSE countries
Fresh and frozen Sheep or Goat, Cut +Bone (includes alternative livestock in these families)	high risk	prohibit	Currently prohibited by regulation from BSE countries
Fresh or frozen Bovine Offal	high risk	prohibit	Currently prohibited by regulation from BSE countries
Offal, Sheep, Goat,	high risk	prohibit	Currently prohibited by regulation from BSE countries
Ground meat products that include any ruminant material such as beef and pork sausage or hamburgers	high risk	prohibit	Currently prohibited by regulation from BSE countries
Other Bovine Meat	high risk	prohibit	Currently prohibited by regulation from BSE countries
Other Ruminant fats, except tallow, raw or rendered, whether or not pressed or solvent extracted	high risk	prohibit	Currently prohibited by regulation from BSE countries
Animal feed including milk replacer and pet food, feed ingredients, and any preparation for animal feeding containing ruminant protein	high risk	prohibit	Includes any of these products that contains processed animal protein that can not be certified as non-ruminant protein produced in a dedicated facility