



May 24, 2011

Docket No. APHIS-2008-0112
Regulatory Analysis and Development
U.S. Department of Agriculture
PPD, APHIS, Station 3A-03.8
4700 River Road, Unit 118
Rockville, MD 20737-0112

Re: Docket No. APHIS-2008-0112
Importation of Horses From Contagious Equine Metritis-
Affected Countries

Dear Sir or Madam:

The American Horse Council (AHC) appreciates the opportunity to submit these comments to the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) on the proposed amendments to the regulations for Importation of Horses From Contagious Equine Metritis-Affected Countries. The AHC appreciates and supports APHIS' efforts to address weaknesses in current regulations and provide additional safeguards to mitigate the economic and welfare implications potential future introductions of CEM may have in the U.S.

The American Horse Council

The AHC is a Washington-based association that represents individual members and over 120 equine organizations before Congress and the federal regulatory agencies. AHC member organizations include breed registries, national and state equine associations, state horse councils, recreational associations, and organizations representing race tracks, horsemen, horse shows, veterinarians, farriers, rodeos, and other equine related stakeholders. The AHC also includes individual horse owners and breeders, veterinarians, farriers, trainers, professional, amateur, and recreational riders, and commercial suppliers. Individually, and through our organizational members, the AHC represents several hundred thousand horse owners and others involved in all sectors of the horse industry.

The Horse Industry

According to the 2005 *Economic Impact of the Horse Industry in the United States*, a study done for the American Horse Council Foundation by Deloitte Consulting, LLC, the horse industry involves 9.2 million horses. 4.6 million Americans are directly involved in

1616 H Street NW 7th Floor • Washington DC 20006 • 202-296-4031 • Fax 202-296-1970

Email: AHC@horsecouncil.org • Web Address: www.horsecouncil.org

the industry, including nearly 2 million horse owners. The horse industry has an annual \$102 billion impact on the U.S. economy and supports 1.4 million jobs. Forty-five states have more than 20,000 horses; thirty-five states have more than 100,000. The industry is built on the agro-business of breeding, raising, training, and using horses.

Potential Impact of CEM

As stated in the Federal Register notification soliciting comments on the proposed contagious equine metritis (CEM) rule changes, there have been several CEM incidents in the U.S. in recent years. In 2004, a Lipizzaner stallion imported to the U.S. was released from CEM quarantine after testing negative for CEM and was subsequently found to be CEM positive in October 2006. Another CEM incident occurred in 2008 involving over a thousand exposed horses in forty-eight states, and in 2010, USDA's National Veterinary Services Laboratories (NVSL) confirmed an Arabian stallion on a southern California premises was positive for *Taylorella equigenitalis*. In these incidents, the estimated cost of veterinary services for testing and treatment ranged from \$1,500 to at least \$5,000 depending on whether the animal was a mare or a stallion.

Federal and state animal health officials along with industry stakeholders have expended enormous time, efforts, and resources in emergency response, epidemiological investigations, testing, and treatment to retain our CEM-free status. The full economic impact of these past CEM incidents is difficult if not impossible to quantify.

Future incursions of CEM into the U.S. horse population could have extensive and considerable economic consequences for the entire U.S. equine industry. The AHC supports USDA's efforts to develop enhanced safeguards and implement disease mitigation strategies against future CEM incidents in order to minimize the economic and trade implications from potential future outbreaks.

CEM Proposed Rule Changes

The AHC strongly supports the intent behind USDA's proposed regulatory changes for the Importation of Horses From CEM-Affected Countries, and the AHC appreciates USDA's efforts in identifying and addressing weaknesses within the current requirements. The AHC believes most of the proposed amendments will reduce the risk of future incursions of CEM, and the AHC also asks USDA to weigh the impact certain proposed changes will have on business continuity.

Specifically, the AHC supports implementing Complement Fixation Testing (CFT) of mares imported from CEM-affected countries. The AHC encourages APHIS to incorporate the CFT requirement for mares imported from CEM-affected countries at the three APHIS Animal Import Centers (AICs). The CFT results could then be released to the state approved private CEM quarantine facilities once available. The CFT results can be made available with very short turn-around time, and the AHC feels this additional requirement would not unduly extend the post-arrival quarantine period.

Although not identified in the interim rule published on March 25, 2011 on the Importation of Horses From CEM-Affected Countries, the 2007 CEM Program Review Team evaluated and strongly recommended that stallions recently castrated prior to import do present a risk for introduction of CEM. The AHC supports USDA including this identified group to be cultured and/or treated for CEM when presented for entry into the U.S. Furthermore, the AHC supports including the distal urethra as an additional culture site due to the high-yield return on this specific anatomical location.

The AHC has reviewed and been advised that there is not a strong cost-benefit justification, at this time, for the proposed rule change requiring imported stallions to be routinely cultured three times with two of the sets being pre-breeding cultures. The AHC feels this added requirement would notably extend the minimum quarantine time and add considerable cost to the importation process without significantly reducing the risk of a potential CEM incursion.

The AHC requests further scientific justification and rationale behind the additional culture proposal before we could support this added requirement. The AHC also notes that the 2007 CEM review committee evaluated and declined to support this additional test requirement.

2007 CEM Program Review Team Recommendations

The AHC supports USDA's efforts to revise and revisit current CEM post-import testing procedures and protocols for horses imported from CEM-affected countries to protect the U.S. equine industry from future introductions of CEM.

To that end, the AHC supports incorporation of the 2007 CEM Program Review Team's recommendations. The CEM Program Review Team applied extensive expertise and experience in making findings and recommendations to establish the most effective and efficient protocols for CEM testing procedures.

The AHC notes the CEM Review Team was initiated by USDA-APHIS-VS, and the AHC applauds the partnership and diversity the Agency included within the CEM Review Team, which was comprised of individuals from VS' National Veterinary Services Laboratory (NVSL), National Center for Import and Export, National Center for Animal Health Programs (NCAHP), Center for Veterinary Biologics (CVB), Policy Program and Development Staff, Area offices, State Veterinarians, and university personnel.

AHC urges USDA to revisit CEM testing procedures and entry requirements on a regularly-scheduled interval to ensure the three APHIS Animal Import Centers (AICs) and the state approved private CEM quarantine facilities are implementing the most recent and effective procedures based on sound science and future developments with CEM disease research.

Implementing the CEM Review Team's recommendations will address the lack of reliable CEM testing and consistent treatment protocols across all state approved private

CEM quarantine facilities while also balancing the essential element of business continuity within the private CEM quarantine facilities.

Issues Identified in August 2010 OIG Audit

In August 2010, USDA's Office of Inspector General (OIG) published a report on USDA's Controls Over Animal Import Centers. The AHC supports the OIG recommendation for APHIS area officials to undertake periodic visits to state-approved private quarantine facilities. The AHC also encourages APHIS to maintain a current and complete list of all state-approved CEM private quarantine facilities and be prepared to provide that information to state animal health officials in the event of a disease emergency.

The report stated APHIS initiated numerous recommendations to address immediate shortfalls, and the AHC supports the establishment of minimum standards for approval and oversight of these facilities. The AHC notes that implementing the 2007 CEM Program Review Team recommendations would immediately address these shortfalls and simultaneously establish uniform minimum standards for state-approved CEM private quarantine facilities.

The AHC supports APHIS' actions to establish and train CEM coordinators and laboratory staff in each State approved to receive stallions and mares imported from CEM affected countries. The AHC further supports regular check-testing and competency training to establish and maintain a satisfactory level of proficiency for state-approved diagnostic laboratories.

The AHC supports APHIS' efforts to develop a database by which state veterinarians and APHIS field offices can input laboratory testing data and animal information on imported animals undergoing CEM quarantine and testing in all CEM-approved quarantine facilities.

The AHC feels these quality control measures combined with uniform implementation of the 2007 CEM Program Review Team's recommendations would address immediate shortfalls and provide additional safeguards when importing horses from CEM-affected countries without adding significant market barriers to the U.S. equine industry.

Conclusion

The AHC applauds USDA's efforts to address current shortfalls and enhance safeguards to better mitigate the potential welfare and economic implications from future CEM incidents. The AHC feels that by combining many of the proposed rule changes with the 2007 CEM Program Review Team's recommendations and implementing the quality control measures APHIS identified and initiated in the 2010 OIG report will result in enhanced safeguards, increased accountability and transparency with quarantine facilities, and support the economic viability of the U.S. horse industry.

Thank you for the opportunity to submit these comments. If you have any questions or need additional information, please contact us.

Sincerely,

A handwritten signature in black ink that reads "James J. Hickey, Jr." in a cursive style.

James J. Hickey, Jr.
President