Animal and Plant Health Inspection Service

9 CFR Parts 160 and 161 [Docket No. 94-027-1]

Standards for Accredited Veterinarian Duties

AGENCY: Animal and Plant Health Inspection Service, USDA.
ACTION: Proposed rule.

SUMMARY: We are proposing to allow, under certain conditions, accredited veterinarians to issue official animal health documents for animals in herds or flocks under regular health maintenance programs for up to 30 days after inspection. For all other animals, we are proposing to allow accredited veterinarians to issue official animal health documents up to 10 days following inspection. Last, we are proposing to require that all official animal health documents be valid for only 30 days following inspection, regardless of the date of issuance. We would continue to require that accredited veterinarians issue official animal health documents only for animals that they have inspected.

These actions would extend the time period allowed between inspection and the issuance of official animal health documents. We believe these actions would both alleviate the burden placed by the current time requirement on accredited veterinarians and reduce the costs of health inspection for the livestock industry, without significantly increasing animal disease risk.

DATES: Consideration will be given only to comments received on or before May 9, 1995.

ADDRESSES: Please send an original and three copies of your comments to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, P.O. Drawer 810, Riverdale, MD 20738. Please state that your comments refer to Docket No. 94– 027-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. J. A. Heamon, Senior Staff Veterinarian, Sheep, Goat, Equine, and Poultry Diseases Staff, Veterinary Services, APHIS, USDA, P.O. Drawer 810, Riverdale, MD, 20738. The telephone number for the agency contacts will

change when agency offices in Hyattsville, MD, move to Riverdale, MD, during February. Telephone: (301) 436– 6954 (Hyattsville); (301) 734–6954 (Riverdale).

SUPPLEMENTARY INFORMATION:

Background

In accordance with 9 CFR parts 160, 161, and 162 (referred to below as the regulations), some veterinarians are accredited by the Federal Government to cooperate with the Animal and Plant Health Inspection Service (APHIS) in controlling and preventing the spread of animal diseases throughout the country and internationally. Accredited veterinarians use their professional training in veterinary medicine to perform certain regulatory tasks.

Section 161.3 of the regulations contains the Standards for Accredited Veterinarian Duties. Currently, under § 161.3(a), we require accredited veterinarians, when issuing or signing a certificate, form, record, or report regarding any animal, to have inspected the animal within 7 days prior to signing the document. We have received numerous letters from veterinarians, veterinary associations, and livestock producers maintaining that this 7-day requirement is impractical, burdensome, and expensive for both veterinarians and producers. All of the correspondents request that we allow accredited veterinarians additional time to issue official animal health documents following inspection.

Many of the correspondents argue that the 7-day requirement makes it difficult for accredited veterinarians involved in intensive livestock practices to issue, in a timely manner, official animal health documents required for the interstate or international transport of animals. Large livestock facilities sell animals continuously. So, in order to issue the health documents near the date of an animal's shipment, if 7 days have passed since the animal's most recent inspection, the veterinarian must revisit the facility where it is housed. This time requirement places a burden on veterinarians with busy practices; many of the veterinarians who have written state that it is impossible for them to visit their clients frequently enough so as not to impede livestock sales and shipments. Furthermore, livestock facilities also are negatively impacted by the 7-day requirement, as they must pay for numerous veterinary inspections if they wish to sell and ship animals frequently.

Other letters cite inspection delays caused by biosecurity requirements at large livestock facilities as a reason for extending the time period allowed for issuing official animal health documents. Biosecurity requirements commonly prohibit veterinarians from entering a facility within 72 hours of being in contact with animals of the same species at other sites. If an accredited veterinarian is under contract to several large livestock facilities with biosecurity requirements, it can be difficult for him or her to inspect animals frequently enough so as not to impede livestock sales and shipments.

Finally, many of the letters remark that often veterinarians do not receive laboratory test results soon enough after inspection to issue official animal health documents within the 7-day period. Thus, a veterinarian can be forced to reinspect an animal shortly after the previous inspection due to laboratory delays beyond his or her control.

Therefore, we are proposing to allow, under certain conditions, accredited veterinarians to issue official animal health documents for animals in herds or flocks under regular health maintenance programs for up to 30 days after inspection. We are proposing to define regular health maintenance program in the regulations as "an arrangement between an accredited veterinarian and a livestock producer whereby the veterinarian inspects every animal on the premises of the producer at least once every 30 days." This kind of arrangement is very common in the livestock industry. Typically, livestock facilities contract with a veterinarian for health inspection of every animal every 30 days as a practical way to protect the health of animals and to facilitate their sale and shipment.

Over time, veterinarians who inspect herds or flocks as part of a regular health maintenance program become very familiar with health conditions in those herds or flocks. They are able to discover current, and anticipate future, health problems more accurately than veterinarians who inspect individual animals, herds, or flocks sporadically. We believe that accredited veterinarians may inspect a herd or flock as part of a regular health maintenance program and then issue relevant official animal health documents for up to 30 days following inspection, with no significant increase in disease risk. Notably, we would continue to require that accredited veterinarians issue official animal health documents only for animals that they have inspected.

Because a veterinarian would have to inspect a herd or a flock several times before he or she could become familiar with the health conditions therein, we are proposing to allow veterinarians the