

Questions and Answers: Viral Hemorrhagic Septicemia Interim Rule

On September 9, 2008, the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) published an interim rule to establish interstate movement and import requirements for certain fish species that originate from States and Canadian Provinces regulated for viral hemorrhagic septicemia (VHS). This document provides guidance concerning the interstate and international movement of fish species covered under the interim rule, which became effective on November 10, 2008. The interim rule can be found at <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0038>.

VHS virus is an extremely serious pathogen of fresh and saltwater fish that has been found in the waters of Lake St. Clair, Lake Erie, Lake Ontario, Lake Michigan, the St. Lawrence River, and an Ohio reservoir south of Lake Erie. In the United States and Canada, recent outbreaks of this emerging disease are responsible for die-offs in many freshwater species in the Great Lakes watershed.

Q. What States and Provinces are affected by the interim rule?

A. As of the publication of the VHS interim rule, the regulated U.S. States are Illinois, Indiana, Michigan, Minnesota, New York, Pennsylvania, Ohio, and Wisconsin. The regulated Canadian Provinces are Ontario and Quebec.

Q. The regulations do not include a list of VHS-regulated fish. Where can the public find the current list of regulated species and States/Provinces?

A. The current list of VHS-regulated species and areas can be found at http://www.aphis.usda.gov/animal_health/animal_dis_spec/aquaculture/downloads/vhs_fed_order.pdf. Changes to the list will be updated at this site.

Q. Are fish eggs included in this rule?

A. The regulations cover only live fish. Dead fish, fish products, eggs, and other gametes are not regulated by this interim rule.

Q. Can I move fish from a VHS-regulated State?

A. Yes, under certain conditions. They are:

- Live VHS-regulated fish can be moved interstate if they are from a facility that is free from VHS, and are accompanied by an interstate certificate of inspection (ICI). A facility is considered free of VHS if fish sampled from the facility have tested negative by an approved laboratory.
- Live VHS-regulated fish can be moved without testing only if they are sent directly to a slaughter facility or to a research or diagnostic laboratory. The receiving facility for these types of shipments must have appropriate waste water discharge controls in place to prevent the possible spread of disease.

Q. What is an interstate certificate of inspection or ICI?

A. An ICI is an official document that attests to the health status of fish for interstate movement. It may be issued by an accredited veterinarian, or a State, Tribal, or Federal authority in the originating State.

Q. Does APHIS require the use of a particular ICI form?

A. No. APHIS is developing a suggested form; however, individuals or authorities issuing an ICI are free to use a different form as long as it includes the required information and certification statements. The APHIS form will be available before November 10, 2008. Once it is available, the public will be able to download it at http://www.aphis.usda.gov/animal_health/animal_dis_spec/aquaculture/.

Q. What should I do with an ICI after I receive one?

A. At a minimum, individuals moving live VHS-regulated fish interstate must ensure that their fish travel with an ICI. Following interstate transport, the original ICI, or a copy, should remain with the destination facility or with the authority or relevant stakeholders for documentation concerning the health status of the VHS-regulated fish species under their care.

Q. Does VHS testing for interstate movement purposes have to be conducted at particular laboratories?

A. To meet ICI requirements, VHS testing must be completed at a laboratory that has been authorized to perform VHS virus testing by a State, Tribal, or Federal aquatic animal health authority. The interim rule specifies the testing protocols that laboratories are to use.

Q. What information must be contained on an ICI?

A. The person or authority issuing an ICI must certify that:

- The live fish were inspected by an accredited veterinarian or by a State, Tribal, or Federal aquatic animal health authority within 72 hours prior to shipment and that the fish were found to be free of any clinical signs of disease consistent with VHS;
- The live fish originated in an area or facility shown to be VHS-free through negative testing results from an approved laboratory; and
- The shipping containers used to transport the fish were cleaned and disinfected according to protocols described in the certificate or that the shipping containers are new. Alternatively, an ICI can indicate that a separate cleaning and disinfection certificate accompanying the shipment has been provided.

Q. What types of documentation are necessary to support the information in the ICI?

A. The APHIS area office, accredited veterinarian, or the authority issuing the ICI is responsible for determining sufficient and appropriate documentation. Examples of documentation include, but are not limited to, laboratory reports; purchase, transfer, or sales invoices; and, the official's experience with and working knowledge of the business engaged in the movement of the animals. Accredited veterinarians must have a valid veterinary-client relationship prior to issuing the ICI.

Q. How are the cleaning and disinfection protocols for shipping containers monitored?

A. Inspectors do not need to be physically present during the cleaning and disinfection process for shipping containers. Individuals issuing an ICI or export health certificate can determine the appropriate level of monitoring necessary to certify that cleaning and disinfection protocols have been met.

For example, some may certify shipping containers based on their inspection of the containers, their experience and familiarity with the practices of the business moving the animals, or by reviewing available documentation, such as a separate cleaning and disinfection certificate intended to accompany a shipment.

Q. My business involves the movement of wild bait fish. Does the rule allow me to continue my business?

A. Yes, however, there are sampling and testing requirements. If your wild bait fish have not been tested previously, you must test 150 fish from your fish population at an approved laboratory. Negative test results are necessary before moving the fish interstate.

Q. How will the status of my facility be affected if I move untested VHS-regulated fish out of a State or Canadian Province that is not currently regulated by APHIS for VHS?

A. Under the interim rule, the status of your facility will not be affected by this kind of movement.

Q. I test my fish every year. Can I reduce the number of fish I test?

A. After a facility, which uses a secure water source, has had 2 years of negative tests, it can reduce the number of fish it tests from 150 to 60, twice a year. Additionally, facilities that use a secure water source and have a 4-year history of negative tests can also reduce the number of fish tested to 30, twice a year.

If a facility or source has no testing history—or has since its last facility certification brought in fish with no testing history—it can establish a testing history by testing 150 fish twice a year with at least 3 months between tests. This testing schedule can also be used to re-establish a testing history for a facility that has lost its “clean” status due to a case of VHS.

Q. What happens if APHIS lists another species as “VHS-regulated” and my facility has not been testing that species. Does our facility lose its health status?

A. If APHIS adds a new species to the list of VHS-regulated species after a facility or source has been determined to be free of VHS, the facility must conduct additional testing on any newly listed species present in the facility. These fish must be free of VHS virus for the facility to retain its VHS-free status. The facility must test 150 fish of each newly listed species, if those species were not previously included in the facility's testing program.

Q. I have multiple VHS-regulated species at my facility. How many do I need to test?

A. The number of fish from each VHS-regulated species to be tested depends on how many regulated species the facility holds. If a facility has two VHS-regulated species, then 50 percent of the samples should come from each species. If there are four VHS-regulated species present, then 25 percent of the samples should come from each, and so on. Species that are not listed as VHS-regulated do not need to be tested.

Q. For facilities with open water sources, the interim rule says that a health certificate is valid for only 30 days. If it takes several weeks to conduct the cell culture assays, that makes it logistically difficult to move fish within the limited time remaining. How can producers move fish under these restrictions?

A. Health certificates for fish from facilities with open water sources are valid for a shorter length of time than those from secure water sources. This is because animals could potentially become infected by VHS through the water source during the time between sample collection and shipment.

To accommodate testing requirements and management logistics, an ICI for fish from open water sources can be issued as soon as test results are available, up to 30 days from sample collection; the ICIs are valid for 30 days from issue. Therefore, producers on open water sources may potentially have up to 60 days from the date of sample collection to move their animals, depending on the length of time it takes to receive laboratory results.

Q. What is a VS Form 1-27?

A. The VS Form 1-27 is a “Permit for Movement of Restricted Animals.” For the purposes of the VHS regulations, this form may be used to allow the interstate or intrastate transport of untested fish that require special handling due to their risk of disease or VHS virus exposure. Such consignments should be clearly marked concerning their destination and purpose.

Q. Who can issue a VS Form 1-27 for the interstate or intrastate movements of VHS-regulated fish to slaughter, research, and diagnostic facilities?

A. VS Form 1-27 can be issued by the Veterinary Services’ Area Office, port veterinarian, accredited veterinarian, or a State, Tribal, Federal, or other animal health authority in the State from which the fish originate.

Q. For a VS Form 1-27 to be issued, the facility receiving fish must be able to discharge the effluent appropriately to prevent the spread of VHS. Who is responsible for determining whether a facility can effectively handle effluent?

A. Both the official who issues a VS Form 1-27 and the official who receives a consignment of fish traveling under the form share the responsibility for determining if a facility can appropriately discharge its waste water.

Allowable options include discharging waste water to a municipal sewage system that is capable of disinfecting and neutralizing the VHS virus, or sending the

effluent to a non-discharging settling pond or a settling pond that disinfects waste water in accordance with applicable local, State, and Federal regulations.

Individuals who request a VS Form 1-27 should obtain sufficient documentation concerning how the receiving facility handles effluent discharge. This documentation should be provided either to the official issuing the VS Form 1-27 or to the official who has been designated to receive the consignment of fish.

Q. Can I import fish from Canada through any port?

A. Live VHS-regulated fish accompanied by a declaration and health certificate may be imported from Ontario or Quebec through the following ports: Eastport, ID; Houlton and Jackman, ME; Detroit, Port Huron, and Sault Ste. Marie, MI; Baudette, MN; Opheim, Raymond, and Sweetgrass, MT; Alexandria Bay, Buffalo, and Champlain, NY; Dunseith, Pembina, and Portal, ND; Derby Line and Highgate Springs, VT; and Oroville and Sumas, WA. No import permits are needed for consignments entering the United States through these ports.

Fish may also be imported from Ontario or Quebec, Canada, through Anchorage, AK; Los Angeles and San Francisco, CA; Miami and Tampa, FL; Atlanta, GA; Honolulu, HI; Chicago, IL; Boston, MA; Newark, NJ; Jamaica and Newburgh, NY; Portland, OR; Memphis, TN; Dallas-Fort Worth, TX; Seattle, WA; and San Juan, PR. These fish must be accompanied by an import permit issued by APHIS’ National Center for Import and Export, as well as a declaration and health certificate. Instructions and an application for import permit VS 17-129 are available at http://www.aphis.usda.gov/import_export/forms.shtml.

Q. If I bring VHS-regulated salmonids in from Canada, do both the APHIS VHS interim rule and the U.S. Fish and Wildlife (FWS) Title 50 rule apply?

A. Fish consignments of VHS-regulated salmonids from Canada must meet FWS certification requirements under Title 50 of the Code of Federal Regulations (50 CFR), Part 16. The species of fish, including common and Latin names, should be clearly marked, and FWS will verify the species. APHIS does not regulate the movement of these fish.

Q. Does virus testing for VHS-regulated fish imported from Canada have to be conducted at particular laboratories?

A. Yes. To import live VHS-regulated fish, testing must be done at a laboratory approved by Canadian authorities for fish health.

Q. I want to export fish from a VHS-affected State to another country. Does virus testing for exported VHS-regulated fish have to be conducted at particular laboratories?

A. Yes. For APHIS to endorse an export health certificate, exporters must use approved laboratories to conduct testing for pathogens. A list of approved laboratories is available at http://www.aphis.usda.gov/animal_health/lab_info_services/approved_labs.shtml.

Q. Can VHS-regulated fish going to live markets be treated the same as fish going to slaughter?

A. No. Live VHS-regulated fish that are moved to any destination in the United States—including live fish markets—from the VHS-regulated States and Provinces must be accompanied by documentation showing that the fish (or the facility they originated from) have been found free of the VHS virus.

Q. Where can I get more information on VHS and APHIS' regulations?

A. Please visit www.aphis.usda.gov and click on "Hot Issues."

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