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Advocacy Requests that the Animal and Plant Health Inspection Service Take Small Aquaculture Entities' Concerns into Consideration in its Interim Final Rule Restricting Movement and Importation of Fish with Viral Hemorrhagic Septicemia

On October 9, 2008 the Office of Advocacy (Advocacy) sent a letter to the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) asking that the agency take small aquaculture businesses' concerns into consideration while promulgating its Interim Final Rule Restricting Movement and Importation of Fish with Viral Hemorrhagic Septicemia. A copy of Advocacy's letter may be accessed at <http://www.sba.gov/advo/laws/comments>.

- On September 9, 2008, APHIS published the Viral Hemorrhagic Septicemia; Interstate Movement and Import Restrictions on Certain Live Fish in the *Federal Register* (73 Fed. Reg. 52173). APHIS performed an Initial Regulatory Flexibility Analysis and concluded that the net impact of the interim rule would be relatively small. APHIS acknowledged that the entities most likely to be adversely affected by the rule would be small businesses; however, the magnitude of the impacts is unclear because of a lack of data.
- Advocacy received several inquiries from small aquaculture businesses and their representatives voicing concern about their financial ability to comply with the regulation's requirements.
- In its October 9, 2008 letter Advocacy provided APHIS with examples of how certain provisions in the rule would impose significant economic impacts on the affected industries, including for example, the veterinary inspection and certification requirements of the rule. Based on these examples, Advocacy asked APHIS to take industries' concerns into consideration prior to the November 10, 2008 effective date of the rule.

For more information, visit Advocacy's web page at www.sba.gov/advo or contact Linwood Rayford at (202) 205-6533.