



How to Approach Understanding & Interpretation of the NPIP Provisions

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NPIP Provisions



- NPIP Provisions are the regulations
- Just read it and understand it?
- Why different requirements for each subpart for testing for same disease?
- Confusing, unclear, does not make sense?
- Where are the answers? Who do I ask?
- Why do I get different answers from different people?

How do you understand it?

- Experience of attending NPIP conferences when provisions were proposed and discussed
- Experience of administration of the program
- Ask others with experience
- On going process



Steps to Understand

- Read provisions book
- Make charts to simplify testing
- Refer back to provisions frequently
- Ask fellow state coordinators

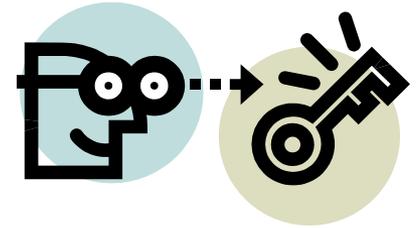


Who to call?

- Odd situation, does not make sense, unclear
 - Call 2-3 other state NPIP offices for opinion
 - Neighboring states or states with same bird type
 - Call National NPIP office
 - Call person who submitted part of the provision in question.
 - Call person on technical committee
 - Call person experienced in the bird type



Interpretation



- Literal interpretation
 - “and” & “or”; “should”, “shall”, “may”, “recommended”, “must have”, “in a manner satisfactory to the OSA”, “where applicable”
 - May not reflect intent; may be error
- Intent of the provision
 - May not be evident as written
 - Ask person on tech committee
 - Ask person who proposed section

State OSA



- State can decide on how to interpret and can have higher standard
- §145.2 Administration
 - (d) *The Official State Agency of any State may, except as limited by §145.3(d), adopt regulations applicable to the administration of the Plan in such State further defining the provisions of the Plan or establishing higher standards compatible with the Plan.*

State OSA

- Different states have different interpretations and standards
- When in doubt chose the higher standard
- What are you trying to accomplish? Do you have a disease situation?



Administration



- Keep site of purpose/intent of program not just strict enforcement of a code
- Often there are unique situations with no clear guideline
- Consider-What type of birds, what type of product, what are you going to do with them
- If find error or improvement in provisions propose for provision change
- Be consistent in interpretation and administration

Ask for help

- Communicate with other OSAs
- Communicate with industry
- Communicate with Senior Coordinator



Discussion

