

Guidance for States:

Application for Approval of State Chronic Wasting Disease (CWD) Herd Certification Programs (HCP)

I. Introduction

The Animal and Plant Health Inspection Service (APHIS) published the interim final rule, “Chronic Wasting Disease Herd Certification Program and Interstate Movement of Farmed Deer, Elk, and Moose” (title 9, *Code of Federal Regulations*, parts 55 and 81), on June 13, 2012. The rule became effective on August 13, 2012; enforcement of part 81 will be delayed until December 10, 2012, to allow time for States to join the national voluntary HCP.

States interested in having an approved State HCP should submit the Veterinary Services (VS) application form (VS 11-2) with summary statement and supporting documents to APHIS for review and approval. A memorandum of understanding (MOU) between APHIS and the State’s authorities delineating respective responsibilities will be established upon completion of the application review process and will indicate either Approved State status or Provisional Approved State status and the effective time period. The VS Form 11-2 and MOU template are accessible on the CWD website under Information and Services at http://www.aphis.usda.gov/animal_health/animal_diseases/cwd/. Application materials should be sent to the appropriate APHIS VS Area Office and AVIC. This document provides details on the application procedure.

II. Minimum Requirements for Approved States

APHIS will determine a State program’s eligibility to be designated an Approved CWD HCP by evaluating the State’s CWD prevention and control activities; the deer, elk, and moose herd certification activities; relevant State statutes, regulations, and directives pertaining to animal health activities; and reports and publications of the State. States also must ensure that their enrolled herd owners meet compliance requirements of the national HCP.

Specifically, the short narrative, supporting information, and other documentation (the actual document or URL link) should show how the State meets each of the 11 criteria outlined in 9 CFR 55.23:

- (1) The State has the authority to restrict the intrastate movement of all CWD positive, CWD suspect and CWD exposed animals.***

- (2) The State has the authority to require the prompt reporting of any animal suspected of having CWD and test results for any animals tested for CWD to State or Federal animal health authorities.***

- (3) The State placed all known CWD-positive, CWD-exposed and CWD-suspect animals and herds under movement restrictions, with movement of animals from those herds either under permit or for destruction.*** If applicable, include the number of positive, exposed or suspect animals or herds the State has placed under movement restriction during the preceding three years.

- (4) The State has policies/regulations in place to:***
 - (a) Promptly investigate all animals reported as CWD-suspect animals.
 - (b) Designate herds as CWD positive, CWD exposed, or CWD suspect, and promptly restrict movement of animals from the herd after an APHIS employee or State representative determines that the herd contains or has contained a CWD-positive animal.
 - (c) Remove herd movement restrictions only after completion of a herd plan agreed upon by the State representative, APHIS, and the owner.
 - (d) Conduct an epidemiologic investigation of CWD-positive, CWD-exposed, and CWD-suspect herds that includes the designation of suspect and exposed animals and that identifies animals to be traced.
 - (e) Conduct trace-backs of CWD-positive animals and trace-outs of CWD-exposed animals and report any out-of-State traces to the appropriate State promptly after receipt of notification of a CWD-positive animal.

- (f) Conduct trace-backs based on slaughter or other sampling promptly after receipt of notification of a CWD-positive animal at slaughter.

Please provide narrative examples or other documentation to show where these policies or regulations have been applied over the last three years (if applicable).

- (5) The State effectively monitors and enforces its quarantines, reporting laws, and/or regulations for CWD.***
- (6) The State designated at least one State animal health official to coordinate HCP activities in the State.*** See CWD Program Standards Section A 1.6 for reference. Please provide the name(s), title, and contact information for the State HCP coordinator.
- (7) The State has a program(s) that provides outreach/education to those engaged in the interstate movement of deer, elk & moose related to identification and recordkeeping requirements of the CWD rule.***
- (8) The State has laws or regulations that effectively enforce identification of all animals in herds participating in the HCP.***
- (9) The State maintains, in either the CWD National Database (SCS) administered by APHIS or in a State database compatible with the CWD National Database, the following information:***
- (a) Premises information and assigned premises numbers
 - (b) Individual animal information on all deer, elk and moose in herds participating in the State HCP (see also 11c)
 - (c) Individual animal information on all out-of-State deer, elk and moose to be traced
 - (d) Accurate herd status data
- 10) The State requires that tissues from all CWD-exposed or CWD-suspect animals that die or are depopulated or otherwise killed be collected per APHIS instructions and be submitted***

to an APHIS-approved laboratory to conduct official CWD tests, and that carcasses or tissues from these animals are disposed of in an appropriate manner.

11) The State has laws or regulations that require enrolled herd owners to:

- (a) Identify each animal in the herd using means of animal identification specified in 9 CFR 55.25. These State laws or regulations related to animal identification in herds participating in the HCP should be consistent with the minimum federal program requirements.
- (b) Maintain perimeter fencing adequate to prevent ingress or egress of cervids. See Appendix II in CWD Program Standards for reference.
- (c) Immediately report to a State or APHIS representative all animals that escape or disappear, and all deaths (including animals killed on the premises or sent under same ownership to slaughter) of deer, elk and moose aged 12 months or older, and make carcasses available to the State or APHIS for tissue sampling and testing in accordance with instructions from the State or APHIS.
- (d) Maintain herd records for each separate herd that include a complete inventory of animals that states the species, age and sex of each animal; the date of acquisition and source of animals not born into the herd; the date of disposal and/or destination of animals removed from the herd; and all individual identification numbers associated with each animal.
- (e) Present all animals in the herd to representatives of the State or APHIS, at the request of the State or APHIS, in order to conduct a “hands-on” inventory so that the owner’s inventory records can be confirmed and/or reconciled by the State or APHIS.
- (f) Introduce only animals into the herd from herds that are the same or higher status in the HCP in order to maintain existing status.

III. Application Submission, Review, and Notification

Interested States should submit the application package to the APHIS VS Area Office serving that State. Location and contact information for Area Offices can be found online at http://www.aphis.usda.gov/animal_health/area_offices.

The State application package should include:

- Application form (VS Form 11-2, Application for HCP Approval of a State) – please complete blocks 1 through 10.
- Summary statement describing the State HCP and addressing the minimum requirements of the national HCP in accordance with 9 CFR 55.23, listed in Section II of this guidance.
- Relevant supporting documentation that demonstrates that the State can meet minimum requirements of the national HCP.

The Area Office will conduct an initial review of documents submitted for completeness and discuss with the appropriate State contact if supporting documentation is missing, inadequate, or not clear. This may include a scheduled meeting with State officials. It may be necessary for the State to provide additional or revised documentation or otherwise demonstrate that their State program meets the Federal minimum requirements for approval. Once the State has provided all documentation, or the documentation that it is able to provide, the Area Office will complete its review and recommendations for Approved or Provisional Approved State status.

The Area Office will forward the application package (with all supporting documentation) received from the State and their recommendation to the Regional CWD Epidemiologist. The information provided will be evaluated by the CWD Regional Epidemiologist and any outstanding questions or documentation addressed. Subsequently, the Regional Office will forward the application to the CWD Program Manager for final review. Final approval of a State's application will be by the CWD Program Manager.

The CWD Program Manager will notify by official letter the State Authority of the Approved State HCP status or if Provisional Approval is granted. Provisional Approval will require APHIS and the State to develop a plan and time line to come into compliance with all the program requirements which will be documented in the MOU.

To finalize the application process, Approved and Provisional Approved States will sign an MOU with APHIS delineating respective responsibilities in the national HCP and will note any

outstanding compliance issues with the time line to meet program requirements. The original signed MOU, VS 11-2, and copies of corresponding documents will be maintained on file by APHIS. The original Approved State HCP notification letter and copies of the signed VS 11-2 and the MOU will be sent to the Approved State.

The APHIS CWD website at www.aphis.usda.gov/animal_health/animal_diseases/cwd/ is a good resource for general information. It contains links to the Approved State HCP application form (VS 11-2), the APHIS-State MOU, the CWD final rule, frequently asked questions, the CWD Program Standards, the CWD Sample Collection Guidance (instruction card), and other resources.

Questions pertaining to this application process should be directed to the either the corresponding APHIS VS Area Office, the Regional Office, or to the National CWD Program Manager.