

Record of Categorical Exclusion Determination

Amendment of 9 CFR 94.4, 94.8, 94.9, and 94.12 to Allow the Importation of Cooked Pork Skins from Regions Affected with Foot-and-Mouth Disease (FMD), African Swine Fever (ASF), Classical Swine Fever (CSF), and Swine Vesicular Disease (SVD).

Brief History and Description of Proposed Action:

The U.S. Department of Agriculture's Veterinary Services (VS) has received a request from a U.S. importer for permission to import pork-rind pellets (pork skins) from Brazil, a region affected with Foot-and-Mouth Disease (FMD), African Swine Fever (ASF), Classical Swine Fever (CSF), and Swine Vesicular Disease (SVD). Such imports are not permitted under current VS regulations.

VS is considering revising their regulations to allow importation of pork skins from regions affected with the diseases mentioned above provided the product is fully cooked and complies with Food Safety and Inspection Service (FSIS) standards (animals must pass ante- and post-mortem inspections; sanitary standards must be in place) prior to shipment to the United States.

Number and Title of Categorical Exclusion Applied:

The proposed action falls within the class of actions which have been categorically excluded under APHIS' National Environmental Policy Act (NEPA) Implementing Procedures, 7 CFR 372.5(c), because "...the means through which adverse environmental impacts may be avoided or minimized have actually been built right into the action themselves." The Foreign Animal Disease Diagnostic Laboratory (FADDL) has reviewed the cooking process that would be employed under the new regulations and has concluded that the cooking process "would inactivate any porcine viruses of concern" (White, 2004). In addition, the Centers for Epidemiology and Animal Health (CEAH) have determined that the "product is not a potential pathway for entry of FAD [Foreign Animal Disease] agents present in Brazil to enter the U.S. The cooking process is sufficient, by itself, to deactivate the pathogens in question. In addition, the transit time to the U.S. and relatively small volume of product shipped reduce the risk as well" (Clouse, 2004).

The proposed action is excluded from further NEPA review because it will not result in significant adverse impacts, there are no extraordinary circumstances which might affect the significance of any potential impacts, and there are no cumulative impacts with other related projects that might result in significant adverse impacts.

Regulatory Requirements:

No significant change in the program operations will occur as a result of this proposed action. The action will not adversely affect endangered or threatened species. The action has not been found to be inconsistent with any Federal, State, or local laws, requirements, or administrative determinations.

Determination:

Based upon my review of the information conveyed to me and in my possession concerning the proposed action, I have determined that the proposed action fits within the specified class of actions, that the regulatory requirements set forth above are met, and that the proposed action is hereby categorically excluded from further NEPA review.

References:

Internal Memorandum from Tim Clouse, CEAH to Masoud Malik, NCIE. RE: Import of Pork Rinds from Brazil. August 2, 2005.

Internal Memorandum from William R. White, FADDL. Subject: Pork-Rind Pellet Imports from Brazil. October 13, 2004.

Dr. Karen James-Preston
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Date