

Animal and Plant Health Inspection Service
Animal and Plant Health Farm Bill Provisions Listening Session
Final Transcript
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Speakers

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John Clifford, Deputy Administrator, Veterinary Services

Mike Firko, Acting Deputy Administrator, Biotechnology Regulatory Services

Moderator

Ladies and gentlemen, just a quick announcement to let you know that we will be starting the conference, here, shortly. We do appreciate your patience.

Ladies and gentlemen, thank you for standing by. Welcome to the Animal and Plant Health Provisions listening session. At this time, all participants are in a listen-only mode. Later, there will be an opportunity to provide comments. Instructions will be given at that time. As a reminder, this conference call is being recorded.

I would now like to turn the conference call over to APHIS administrator, Kevin Shea. Kevin, please go ahead.

Mr. Shea

Thanks very much, Christa. Hi, everyone, and thanks for accepting our invitation to take part in this listening session today. I'm Kevin Shea, the administrator of the USDA's Animal and Plant Health Inspection Service. I'm very happy, as I know all of you are, that Congress has passed the Farm Bill and we're ready to move forward. I know that many of you probably live outside of the Washington DC area, so we thought this call-in format might be the best way for you to get your input to us early on in the process with as little inconvenience to you as possible.

The Farm Bill shapes U.S. agricultural policy for most of the next decade and beyond, and its APHIS related provisions are generally not the ones that grabbed the headlines, but they do strengthen, considerably, our ability to fulfill our core mission of protecting U.S. agriculture and natural resources. Agencies across the USDA are holding Farm Bill listening sessions like this one, and this is one of two that we are hosting today.

The other one was earlier on animal welfare provisions. We're hosing this session because now that the Farm Bill is law, we can begin the process of determining how best to implement its provisions, and I can't emphasize enough how important your input is to us as we determine how to move forward.

I've asked associate administrator, Mike Gregoire, to work with me to coordinate efforts across APHIS to implement our Farm Bill provisions. Mike is with us today, as is our other associate administrator, Dr. Jere Dick.

Now I'm going to ask the deputy administrators for our Animal and Plant Health programs to provide brief overviews of the Farm Bill provisions that fall under their purview. Once they're done, we'll open the call up for your comments, and we'll be in a listening mode for the remainder of the call. Today is all about hearing from you, so we're anxious to hear whatever comments you may have.

I want to point out that today is certainly not the only opportunity you'll have to give us your thoughts. We encourage you to contact us throughout the process. Some of the things we're doing today may lead to proposed rules, so we certainly will welcome your comments when that happens. I say again, we want to hear from everyone, but so that we can try to get everyone who has a comment today, we would request that you try to keep your comments to about three minutes.

So we'll start first with Bill Clay, our deputy administrator for Wildlife Services, who will tell you a little bit more about the Farm Bill's support of our new national strategy to stop feral swine damage. Bill?

Mr. Clay

Thank you, Kevin. Within the next few months, APHIS will begin implementing a national program to reduce or eliminate problems caused by feral swine in the United States. Feral swine have been documented in 39 states and our goal in conducting a national feral swine damage management program is to reduce damage and risk to agriculture, natural resources, property, animal health, and human health and safety in cooperation with states, tribes, other federal agencies, organizations, and others.

The feral swine population in this country is estimated to be about 5.5 million, with half of that number found in Texas. Overall damage caused by feral swine is estimated to be about \$1.5 billion, with \$800 million in damage to agricultural resources alone.

In the APHIS budget this year, Congress provided \$20 million to begin this effort. This funding will allow APHIS to develop a basic infrastructure in the 39 state where feral swine are present to reduce feral swine damage, to establish procedures for disease monitoring and sampling in targeted areas, including the development of new surveillance and vaccination efforts, and to conduct outreach.

Funding will be provided to the Wildlife Services National Wildlife Research Center to conduct research and economic analysis to develop new control methods and improve existing control practices. Funding will also be provided to cover the cost of aerial control operations. In addition, funding will be available to [conduct] specific activities in the states which will allow APHIS to better leverage our federal dollars.

Internally within APHIS, Wildlife Services will be the lead for the National Feral Swine Damage Management Program and will work closely with the APHIS Veterinary Services program and the APHIS International Services program. Externally, the program will be conducted in close cooperation and in partnership with the state wildlife agencies, state ag and health departments, as well as federal agencies and in cooperation with the tribes in the respective states. Because feral swine, like most wildlife, cross international borders, APHIS will also coordinate with Canada and Mexico on feral swine damage management.

On the ground, control efforts will initially focus on controlling the leading edge of feral swine population expansion. In states with low populations of feral swine, eradication will be the goal. In states with well-established populations of feral swine, such as Texas, California, Oklahoma, and the southeastern states where damage is occurring, we'll work to reduce feral swine damage to acceptable levels.

Through a pilot program in New Mexico, which began a little over a year ago, we've removed over 700 feral swine from over 1.4 million acres. By applying the techniques we've developed through this pilot project, our goal is to eliminate feral swine from two states every three to five years,

and to stabilize feral swine damage within ten years. We realize that this is an ambitious effort, but one we believe is truly achievable through cooperation and partnerships with all of us working together in a concerted effort to address this increasing problem.

With that, Kevin, I'll turn it back over to you.

Mr. Shea Thanks very much, Bill. If anyone has any comments they'd like to make about Bill's presentation, we'd be happy to entertain those now.

Moderator Alright, we'll go ahead with our first comment in the queue coming from Dave. Dave, please state your entire name and your organization.

Mr. Pauli Hi, this is Dave Pauli from the Humane Society of the United States. You mentioned in your presentation that there was going to be some field vaccination. Could you elaborate on that and what you're vaccinating for and how that's going to be done?

Mr. Clay Dave, yes, what we will be doing is looking at the applicability of immunocontraceptives, particularly going [forward]. There may be some others; we're going to be looking at various different types of chemosterilants or immunocontraceptives. That was the point I was referring to with vaccinations.

Mr. Pauli Thank you very much.

Moderator We don't have any other comments in the queue at this time.

Mr. Shea Okay, we'll move on, now, to Osama El-Lissy, our deputy administrator for Plant Protection and Quarantine. Osama?

Mr. El-Lissy Thank you, Kevin. Good afternoon, everyone. The 2014 Farm Bill consolidates Section 10201, which is the Plant Pests and Disease Management and Disaster Prevention Programs, and Section 10202, which is the National Clean Plant Network of the 2008 Farm Bill under one section, now it's called 10007. It also gives additional funding to these programs.

For fiscal year 2014 through 2017, section 10007 will provide \$62.5 million annually for Plant Pest and Disease Management and Disaster

Prevention Programs and the National Clean Plant Network, NCPN, with a minimum of \$5 million designated for the NCPN. For fiscal years 2018 and thereafter, Section 10007 funding will increase to \$75 million annually.

There is one significant difference between the 2014 Farm Bill and Section 10201 and 10202 of the 2008 Farm Bill. The 2014 Farm Bill restricts within Section 10007 only indirect costs to a maximum of 15% of the total federal funds provided under the cooperative agreement, or at a negotiated or other indirect cost cap established by law, or whichever is less. Please note that in accordance with the statutory cap on Negotiated Indirect Cost Rate Agreements, the NICRA, which basically covers universities and other research institutions, the federal funds under cooperative agreements with APHIS may not increase the 10% negotiated rate. So university assistance will continue with a 10% cap, and then for the cooperative agreements with states and others, the cap is 15% maximum.

Now let me turn to the Plant Pest and Disease Management and Disaster Prevention Program. As you know, the Farm Bill's funding under this program has allowed us, working with stakeholders and cooperators, to provide funds for approximately 1,300 projects in 15 states and 2 U.S. territories since 2009. These projects have strengthened our ability to protect U.S. agriculture and natural resources from foreign plant pest threats in areas such as pest survey, identification, inspection, mitigations, risk analysis, and public education outreach.

The open period for suggestions for the fiscal year 2014 spending plan ended, as you know, on January 3rd for the Plant Pest and Disease Management and Disaster Prevention Program. Fortunately, the Farm Bill, section 10007, we have received a total of 472 suggestions and we are currently considering evaluating all the suggestions and going through the finalization of the spending plan and soon APHIS will announce the final spending plan. Once approved, through the Farm Bill [the information will be shared through] the APHIS stakeholder registry. In addition, APHIS will post the [list of] funded projects in the plan on the APHIS Farm Bill website.

With respect to the National Clean Plant Network, NCPN; as you know, the NCPN is a volunteer association of specialty crop clean plant centers

and stakeholders that promote the use of diagnostics, therapeutics, and foundation plant ... to ensure that crops otherwise prohibited from entering the United States may do so in a safe and coordinated manner. In existence since 2008, NCPN supports 20 clean plant programs in 15 states for a number of specialty crops, including fruit trees, grapes, citrus, berries hops, and others. The NCPN governing board is open to the idea of bringing new crops – I think that there's some discussion about sweet potatoes, roses, olives, and others.

In the coming weeks, APHIS plans to advertise the NCPN fiscal year '14 cooperative agreements program requests for application, RFAs, and it will be posted on [www.aphis.usda.gov]. The open period for submitting applications will last approximately eight weeks.

Under section 10007, NCPN funding must be used annually, as you know, and NCPN funding could be spent over multiple years ... funding. Program cooperators are prepared for this change and will not be negatively impacted.

With that, Kevin, I'll be happy to answer your questions.

Mr. Shea

Okay, questions for Osama.

Moderator

Alright, ladies and gentlemen, I don't see any comments in the queue at this time.

Mr. Shea

Okay, thank you. And at the very end, we'll have one last chance if anyone thinks of something later. Now we'll move on to Dr. John Clifford, our deputy administrator for Veterinary Services. Dr. Clifford?

Dr. Clifford

Thank you, Kevin. The first section I'll deal with is 12101, the Trichinae Certification Program. This section would require that APHIS' voluntary Trichinae Certification Program be amended to include an alternative certification program consistent with international standards, with regulations required one year after those standards are adopted.

Once adopted, APHIS would then work to develop the internal framework of the new certification method within the first 120 days after such adoption. This would include drafting a surveillance plan, drafting an interim rule to change the certification program, seeking necessary budget

for amended program activities and surveillance, meeting with industry and federal stakeholders to plan implementation and recognition of negligible risk for pork exports, and beginning work on a permanent change to the 9 CFR Part 149.

In Section 12103, the National Aquatic Animal Health Plan. This section would reauthorize a National Aquatic Animal Health Plan through 2018. APHIS has completed the following to implement the National Aquatic Animal Health Plan: we've maintained an interagency memorandum agreement with U.S. Fish and Wildlife Service as well as with National Oceanic and Atmospheric Administration to coordinate activities related to aquatic animal health, and we've added two aquatic animal pathogens to our National Animal Health Laboratory Network, as well as developed the Focus on Fish Health Web site, as well as continuing disease surveillance.

We've reached out to industry to help identify their needs and priorities regarding the National Aquatic Animal Health Plan. And we established an advisory subcommittee under the USDA Secretary's Committee on Animal Health, called the Subcommittee on Aquatic Animal Health. We are currently revising the format of this committee and will seek input on developing a five-year business plan to further implement the National Aquatic Animal Health Plan.

Under Section 12105, the National Animal Health Laboratory Network. This section codifies the National Animal Health Laboratory Network, which we refer to as the NAHLN, under the Animal Health Protection Act, and authorized \$15 million in annual funding through fiscal year 2018. If appropriated, this additional funding will enhance our capability to respond to an animal health event by increasing the number of laboratories and/or increasing the capacity of existing labs. APHIS will work with the NAHLN coordinating council to evaluate and prioritize gaps based on the NAHLN strategic plan, emerging disease detection and response initiatives, and the overall need for increased capacity and the capability of the network.

Under Section 12107, the National Poultry Improvement Plan. This section requires the secretary to administer the surveillance program for low pathogenic avian influenza for commercial poultry without amending the regulations for the governance of the general conference committee. It

also requires that the funding levels stay at the fiscal year 2013 levels, and that the National Poultry Improvement Plan maintain its existing location. New members will be added to the GCC at the July 2014 meeting, and the new members will be nominated, vetted, and voted on following current 9 CFR procedures. Basically that means that no changes will be made to the governance procedures per the Farm Bill language.

Thank you, Kevin.

Mr. Shea Okay, any questions for Dr. Clifford? We'd be happy to take them now.

Moderator We'll go ahead and take our first one. This is coming from Christopher. Please state your whole name and your organization.

Christopher? I believe your line might be muted. Alright, I'll go ahead and put him back in the queue.

Alright, I don't see any other questions or comments in the queue at this time.

Mr. Shea Okay. We'll move on, now, to Dr. Mike Firko, the acting deputy administrator for Biotechnology Regulatory Services. Mike?

Dr. Firko Thank you, Kevin. One of the things that the Farm Bill does is amend the Federal Insecticide, Fungicide, and Rodenticide Act, sometimes referred to as FIFRA. Some background about why that's germane to agriculture is that FIFRA requires that individuals importing pesticides into the country register each shipment with the Environmental Protection Agency. Because some genetically engineered seeds have been genetically engineered to resist insects because they've had what's called a plant incorporated protectant, or PIP, inserted into the plant, EPA has required that shipments of seeds that have been genetically engineered to resist insects that, on a shipment by shipment basis, importers notify EPA that they are importing a pesticide.

So, we're talking about seeds, here, and agriculture is interested in this because there have been in the past few years several incidences where shipments of seeds destined to farmers have been delayed because of this notice of arrival requirement. So when Congress passed this Farm Bill, they amended FIFRA, which made it no longer a requirement that the

EPA administrator be notified each time there is a shipment of seeds with plant incorporated protectants as long as that product has been registered with EPA or EPA has issued an experimental use permit for those seeds, or those seeds are entering under APHIS permit.

But we do have one requirement in USDA, and that is upon the request of the EPA administrator, we are to provide the administrator with a list of all seeds that have been approved by APHIS to enter under permit. We currently have a memorandum of understanding with EPA about information sharing, so it will be easy for us to put that into place. We are fully prepared, at this point, to respond to EPA as soon as they make a request to us for that list of permitted seeds, and we've developed a process to provide that list. So we're ready to go; as soon as EPA requests that list of permits for PIP seeds, we're ready to give them that list.

Thank you, Kevin.

Mr. Shea Okay, any questions for Dr. Firko?

Moderator We don't have anyone in the queue.

Mr. Shea Okay, before we wrap up, we'll give anyone an opportunity who might want to ask a question of any of our earlier speakers – Mr. Clay, Dr. Clifford, Dr. Firko, and Mr. El-Lissy. Any questions for anybody?

Moderator We sure do. We'll take our first one in the queue. Gina, please go ahead with your full name and your organization.

Ms. Luke Hi, Dr. Clifford, this is Gina Luke over at the AVMA. I was just wondering if you could tell me what the funding you have available is to implement or carry out section 12101, as well as section 12103. And in terms of the fiscal '13 level for the NPIP, if you could tell me what that is, that would be great.

Dr. Clifford Gina, I would be happy to get those figures for you. The actual funding for many of these is, for example, on the Trichinae Certification Program, we are now funded as a swine health line, so the funding for the swine health line is approximately \$20 million – I think it's around \$21 million or \$22 million. Much of that money has been used for pseudorabies

eradication, in surveillance programs, continued surveillance programs for pseudorabies, swine brucellosis, and a program such as that.

So there's not a specific amount that we have there that we've identified for Trichinae Certification. But with this Farm Bill, and once international standards to add additional alternatives are met, then we would certainly be looking at how to fund and utilize resources or new resources to be able to do that.

As far as the Aquatic Health Plan, we also – it's part of a shared line. It's a ..., equine, aquatic line that supports a number of things. So I can't give you a specific amount right now that we have. Originally, before those lines were combined, we had a few million dollars that we were using for the National Aquatic Animal Health Plan.

On the Poultry Improvement Plan side, we have a larger number of dollars available to the poultry health side, and those largely go to the surveillance programs that we have in place for diseases like avian influenza, so a good portion of that is used for that. It also helps to support the GCC. Much of the NPIP program, though, is really supported by state and industry, as well. So the portion we put into the NPIP program is relatively small in comparison to what the state and industry provide for support. What funding we do provide there, a good portion of it – besides our staffing – a good portion of that goes to avian influenza surveillance activities.

Ms. Luke

Okay, thank you.

Moderator

We'll go ahead and go to our next person in the queue. Dan, please state your name and your organization.

Mr. Fagerlie

Yes, this is Dan Fagerlie, Washington State University Tribal Liaison and also Project Director on USDA APHIS project. The question is probably for Bill. On the feral swine project, we appreciate that, but in the Pacific Northwest, we have a problem, since the market for horses disappeared a few years ago with the banning of slaughter, that a lot of the tribes I work with have a huge problem with feral horses. Populations are skyrocketing and they're doing a lot of damage to agricultural range lands and ecological damage. It's getting to the point of being irreversible.

I was just wondering if there was anything in the horizon, down the road, similar to the feral swine project for those tribes such as – we have several in the Northwest, Warm Springs, Yakama, Colville Reservation – they're all facing a feral horse problem that are degrading the ag range land and all the improvements they've made over the last 40 years quite rapidly.

Mr. Clay

Yes, Dan, there is, right now, [Gonacon] is labeled for wild horses and burros. I'm not sure if that's specific to certain states in the West, like Nevada or Utah, but it should be available. We can provide more information on there, but that would be an immunocontraceptive that, I know, the Bureau of Land Management and others are considering on their wild horse and burro programs. So that may be an option, there, for you.

Mr. Fagerlie

Okay, I was just wondering if they're going to have funding to help assist with the implementation of it, such as the feral swine project, or if anything's coming down the road, or pretty much it's work with the local APHIS offices here to see what's available.

Mr. Clay

Yes, go ahead and work with our state director, there, Roger Woodruff. Make him aware of the issue and work with him on it.

Mr. Fagerlie

Okay, thank you.

Moderator

Alright, and we'll move on to our next person in the queue. This is Laura. Laura, go ahead.

Ms. Grunenfelder

Hi, yes, my name is Laura Grunenfelder. This is more of a statement to read into record than a question. I work with the Northwest Horticultural Council, which is a trade association representing deciduous tree fruit producers in the states of Idaho, Oregon, and Washington. We really appreciate this opportunity provided by the Administrator today and the APHIS management team to highlight one of our interests in implementation of the 2014 Farm Bill.

For decades, our industry has strongly supported the mission and the vital safeguarding efforts of the Clean Plant Network. In addition, the U.S. tree fruit industry has long worked to ensure that the Clean Plant Network for fruit trees, which is headquartered at Washington State University in

Prosser, Washington, has the resources and direction to support the world class tree fruit industry in the region and throughout the United States.

As you know, this last year and half, with the expiration of the 2008 Farm Bill and the legislative challenges experienced in passing a new Farm Bill, it was financially challenging for the Clean Plant Network. We'd like it to be known that we appreciate all of the effort and resources that APHIS has provided during this gap. We also understand the challenges that the department has noted in implementing the directives of the 2014 Farm Bill, but we hope that APHIS will be allowed to move as quickly as possible to allocate authorized funding from the bill to the Clean Plant Network and send a message to all stakeholders regarding the continued viability of this important component of the U.S. plant health protection system.

Please feel free to call on the Northwest Horticultural Council if we can be of any assistance in your work with the Clean Plant Network.

Moderator Great. And we'll move on to the next person in the queue. This is Rosanna. Rosanna, please go ahead.

Ms. Giordano Hi, my name is Rosanna Giordano. I'm with the University of Illinois. I just wanted to ask you about the Aquatic Health Program, if there were provisions there for the use of aquatic insects as indicators? If it was possible to obtain funding to develop systems on insects as water quality indicators?

Dr. Clifford This is John Clifford. It's not been brought up as a discussion point, as of yet, and it's not incorporated into the Aquatic Health Plan. That doesn't mean, if it's an important component for the industry and for aquaculture as a whole that we couldn't consider looking at that in the future.

Ms. Giordano I'm sorry, how would we find out as to how we could submit ideas or suggestions about that?

Dr. Clifford You can call my office; I can give you my phone number in my office. You can call my office, and then I can give you my contact information, or I can give you my email.

Ms. Giordano Okay, that's great. Do you want to give that to me now?

- Dr. Clifford** Yes. My office phone is (202) 799-7146.
- Ms. Giordano** Okay. And, I'm sorry, your last name, again, sir?
- Dr. Clifford** Clifford, just like the big red dog.
- Ms. Giordano** Clifford? C-L-I?
- Dr. Clifford** C-L-I-F-F-O-R-D.
- Ms. Giordano** Okay.
- Moderator** Alright, ladies and gentlemen, we have no other questions or comments in the queue at this time.
- Mr. Shea** Okay, well I thank everyone very much for calling in today and listening. We look forward to hearing from you throughout the time of implementing the various provisions of the Farm Bill. Thanks very much, and have a great afternoon.
- Moderator** Thank you, and that will conclude the call for the day.