



NATIONAL ANIMAL INTEREST ALLIANCE

Supporting the people who care for America's animals

October 20, 2007

(This letter amends and replaces our previous comment letter of September 30, 2007)

US Department of Health and Human Services
Center for Disease Control and Prevention
Division of Global Migration and Quarantine
ATTN: Animal Importation Regulations
1600 Clifton Road, NE (103)
Atlanta, GA 30333

NAIA Comments on CDC Advance Notice of Proposed Rulemaking for Animal Importations

Dear Center for Disease Control and Prevention:

I am writing to you on behalf of the National Animal Interest Alliance (NAIA), an animal welfare organization made up of people who keep and work with animals: professionally and scientifically; and as pet owners, hobbyists, sporting enthusiasts and home breeders of pedigreed dogs and cats.

Current animal import regulations are inadequate

Our membership is very concerned about the inadequacy of current import regulations and enforcement, especially as this shortcoming affects the importation of dogs for resale (including transfer through rescue, which is sometimes called humane relocation). We have observed a huge growth in the number of dogs and puppies being imported into the US during the last decade, with a disproportionately high number arriving with parasites and contagious diseases.

Until just a few years ago, most dogs imported into the US were family pets brought in for personal use and enjoyment, or dogs imported specifically for service dog breeding and training programs. These are purposes that we continue to support. They were not imported for resale in the US pet trade as they are today, a development we see as harmful, regardless of whether these puppies and dogs are sold in traditional commerce or through the burgeoning rescue marketplace using terms such as adoption, humane relocation or rehoming. As a result, we support increased regulation of puppy and dog imports for resale or transfer, and a corresponding increase in funding for enforcement.

Background

One of the greatest zoonotic threats to the health of US citizens comes from imported dogs and puppies from developing countries in Asia, from Latin America, and several Island nations and territories. Because there is a greater demand for puppies in the US than supply, start-up breeding and stray dog round up programs have developed in these countries to meet the US demand. The result is a thriving unregulated industry selling pets across borders, and importing dogs from the streets and shelters of developing countries for placement through US shelters, sanctuaries and rescuers. These operations, both on the export and import side of the transaction, lie outside of any organized or regulated pet industry but nonetheless represent an ever-increasing number of pet transfers in the US each year. These imports need to be recognized and regulated if the new regulations are to achieve any degree of success in protecting US citizens from zoonotic diseases.



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Two cases of canine strain rabies have been found in puppies imported through humane relocation already, one in Washington State that was imported from India where rabies is widespread and another case in Massachusetts relocating from Puerto Rico, where this strain is found in the mongoose. Hundreds of US sanctuaries, shelters and private rescuers are engaged in this high-risk form of importation, which should be understood as an unregulated segment of the US pet industry. Humane relocation of pets from developing countries into the US is occurring daily. Please explore the following websites for a glimpse of what is happening:

http://www.cbp.gov/xp/CustomsToday/2006/jun_jul/other/puppies.xml

<http://www.animalplace.org/dogsrescues.html> <http://www.potcakeplace.com/>

http://www.associatedcontent.com/article/70737/295_dogs_and_cats_airlifted_out_of.html

<http://www.geocities.com/t-aarf/>

<http://www.shortstravel.com/shortstravel/Difference/travelIndustryNews.cfm?NewsID=1557&FormDate=04/2007>

<http://www.petfinder.com/shelters/gbhs.html>

<http://dogrescue.meetup.com/about/>

There is no justification whatsoever for allowing the importation of stray dogs into the US. Regardless of whether it's called rescue, re-homing, humane relocation or adoption, it's a transaction with health implications for American citizens that lacks the benefit of pet industry regulations. It is critically important for CDC to recognize that the sanctuaries, shelters and rescuers taking in rescue dogs from international *humane relocation* are in many cases unregulated, i.e., specifically exempted from many of the laws that affect pet sales because of their originally stated purpose and traditionally accepted role. In recent years, many non-traditional shelters have emerged, which are operating as de facto pet stores but retain the image of traditional shelters, keeping their regulatory exemptions and public image intact. They may be called shelters, but they function as pet stores that use humane issues to market their product: pets from poor foreign countries where diseases eliminated in the US decades ago are still rampant.

The other unregulated, below-the-radar segment of the pet industry importing dogs from developing countries is the loosely organized network of exporters and importers that is not part of the regulated pet industry, but trades in dogs transmitted across border crossings for quick resale, often through newspaper ads, flea markets or from the backs of vans in parking lots. The organized and regulated pet industry is not in favor of this practice. The first link shown above includes dogs transferred in both humane relocation and the unregulated fly-by-night segment of the pet industry.

Risk factors present in the exporting country must guide rule making

Although it is not raised specifically in the proposal, we suggest that the standards of veterinary care and relevant vaccination rates in the country or area of origin be given the strongest consideration in the drafting of animal import regulations. A wide disparity exists between veterinary standards in the US and Europe and other developed countries, when compared to those found in the developing world where, along with other serious parasites and diseases, canine-strain rabies is still rampant. The widespread presence of zoonotic diseases, coupled with the lack of appropriate veterinary care and vaccinations in some exporting countries, present an elevated threat to human health and to animals and the pet industry within the US.



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When the regulations are written, this elevated threat must be addressed in the strongest terms. We support the language in the National Association of State Public Health Veterinarians, Inc., Rabies Compendium that says, "The movement of dogs for purposes of adoption or sale from areas with dog-to-dog rabies transmission should be prohibited."

A related consideration that was not specifically covered in the proposal is the feasibility of developing oversight programs in eligible countries (ones that are rabies-free, for example) capable of pre-qualifying exporters who conform with strict export/import requirements in ways similar to certifications under sanitary and phytosanitary agreements. The US should not bear the expensive burden of maintaining quarantine stations for noncompliant exporters. It should be the responsibility of the exporting country and shipper to meet the requirements established by US agencies before shipment (ones discussed in the Comment Section below), and penalties for violating these requirements should be meaningful in order to assure compliance.

The minimally regulated, and virtually unenforced existing regulations on the importation of dogs into the US from all countries, but particularly from countries with low standards of veterinary care, poor vaccination rates, high rates of contagious diseases and parasites, is a ticking time bomb that needs to be addressed. Canine rabies is still a major problem in much of the developing world - especially Asia, nearby Mexico and parts of Central and South America, which are all sending puppies into the US. Leishmaniasis, screw worm, and a host of other parasites and diseases (some that USDA spent decades eradicating) are finding easy access to the US. This situation has disastrous potential for US citizens and American agriculture. Therefore, we also support the imposition of strict import requirements on all stray dogs, regardless of their country of origin. They pose a higher risk for disease transmission due to their "wild caught" status.

NAIA notes that not only are the US requirements weaker than many other developed countries, they are largely unenforced due to lack of funding. Therefore, NAIA urges the appropriation of the funds necessary to assure enforcement of all regulations that emerge from this rulemaking, including the monies necessary to enforce prohibitions against importing dogs from areas with dog-to-dog rabies as the Rabies Compendium advocates. Please find our detailed comments below.

Respectfully Submitted,

Patti Strand, National Director, National Animal Interest Alliance (NAIA)

PS Please call on us any time if we can be of help in your investigative or analytical efforts. We have a tremendous amount of information on this subject that we'd be happy to share.



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Begin Comment Section:

Dog, Cat, and Ferret Regulations

Should HHS/CDC establish a minimum age for the importation of dogs, cats, and ferrets into the United States? If so, at what age and why?

Yes. HHS/CDC should establish a minimum age for the importation of these pets based on minimum age standards scientifically established for vaccinating against rabies plus the time necessary to build immunity following vaccination.

Should the minimum age differ for cats, dogs, and ferrets? Should HHS/CDC establish a requirement for the estimation of age by a licensed veterinarian?

Yes, it should vary depending on the minimum age for rabies vaccination recommended by the scientific/veterinary community for each species.

Should rabies vaccination be a requirement for entry into the United States for all dogs, cats, and ferrets?

Yes, a rabies vaccination should be required for entry into the US. A rabies vaccination is required within the US for dogs of vaccination age. Puppies that are too young for vaccination, but bred domestically are also allowed to fly with a health certificate, the logic being that puppies bred in the US will have some level of passive immunity acquired from their dams. This assumption is not valid for dogs bred outside the US and yet current import practice allows unvaccinated puppies access to the US with certain provisions for subsequent vaccination and quarantine. We see this as a weakness in the system that should be corrected by requiring rabies vaccination plus at least 30 days to build antibodies, as a condition of entry into the US.

What documentation would suffice as proof of vaccination?

A health certificate approved by veterinary authorities with effective safeguards and processes built in to prevent forgeries and other types of fraud.

Should HHS/CDC require serologic evidence of immunity?

Serologic evidence is a great tool, which could be used as an adjunct or alternative to other protocols when useful. It is widely used by other countries such as Japan, and by at least one US state, Hawaii.

What time frame of vaccination would be appropriate?

This is a veterinary question, but vaccinating at the minimum age recommended, and adding an allowance for the time necessary to build immunity seems appropriate. For puppies this would mean a shipping age of 4 months, with a health certificate showing proof of rabies vaccination 30 days prior.

Should dogs, cats, and ferrets imported for research purposes be considered exempt from rabies vaccination requirements if vaccination would interfere with the intended research?

We are not qualified to address this question.

Should HHS/CDC require each dog, cat, and ferret to have a valid international health certificate



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signed by a veterinary authority in the country of origin as a condition for entry into the United States?

Yes, provided it is a properly qualified veterinary authority.

Are there particular international health certificates that should be used as a model?

The health certificate that is used needs to be designed and regulated in such a way that fraud and forgery are minimized and it must carry meaningful penalties for misuse.

Would such a requirement be financially feasible for the importer?

It would be far more expensive in the long run not to develop regulations and the means to enforce them, not only to the businesses involved, but to the entire pet industry, pets and society.

What diseases should a health examination and issuance of a health certificate cover?

Rabies is the most important zoonotic disease to protect against, but there are other diseases and parasites that pose serious threats to public health as well, making a thorough health examination imperative. The health examination and documentation of the exam should be flexible enough to require appropriate tests, vaccinations and treatments for zoonotic diseases that are endemic in the country or region of origin.

What are the perceived benefits or shortcomings of health certificates with respect to accurately reflecting a dog, cat, or ferrets true health status?

As they currently exist, health certificates only state that the animal appears free of disease.

How can these certificates be made difficult to falsify?

There are methods of cross validating such certificates that require veterinarians to issue duplicates through one channel at the same time that the original is traveling through the transport system with the animal. Imposing meaningful penalties against exporters or importers who violate the system would also serve as a deterrent.

Are there other methods that can demonstrate the health of the animal?

The veterinary community could develop additional methods, tests, examination protocols, etc.

Would a requirement for all dogs, cats, and ferrets imported into the United States to have a unique identifier, such as a tattoo or microchip, as endorsed by the American Veterinary Medical Association, reduce the likelihood of fraudulent vaccination claims and health certificates?

Yes, a unique identifier would reduce the likelihood of fraud.

Would identifiers unique to each animal assist officials in locating and tracking dogs, cats, and ferrets during public-health investigations?

Yes.

How might the uniqueness of identifiers be assured if they are administered in other countries?

Identifiers tied to the health certificate at the time of issuance could reduce fraud.

What are some possible difficulties associated with requiring a unique identifier for each dog,



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cat, or ferret?

As long as multiple options are offered, most difficulties can be overcome.

Who would read the identifier?

The identifier would be applied and read at the time of vaccination; by transporters if it becomes necessary while the pet is in transit; by CDC agents when the pet arrives at an approved port of entry, and then again by the importer.

Should a database of identifiers for imported dogs, cats, and ferrets be maintained, and if so, who would maintain it?

The entity maintaining health certificates should suffice if it's cross referenced and centralized.

What is the impact of the cost of identification measures?

The impact is not significant compared to the danger to public health and animal health.

Are there alternative identification methods?

Microchips, tattoos, DNA and several other methods can be used but tattoos and microchips are the most practical.

To facilitate the implementation of these regulations, should HHS/CDC restrict the importation of dogs, cats, and ferrets to only those ports of entry staffed by HHS/CDC personnel? These quarantine stations are located in Atlanta, GA; Miami, FL; Chicago, IL; New York City, NY; Honolulu, HI; San Francisco, CA; Los Angeles, CA; Seattle, WA; Newark, NJ; Washington, DC; Dallas, TX; El Paso, TX; Houston, TX; Anchorage, AK; Boston, MA; Detroit, MI; Minneapolis, MN; San Diego, CA; Philadelphia, PA; and San Juan, PR. What impact would limiting the importation of dogs, cats, and ferrets to certain ports potentially have on pet owners and the pet industry?

Funding should be supplied for implementing and enforcing these regulations such that well trained and qualified personnel are available to staff all potential ports of entry, regardless of the number of entry ports. Funding this should be a priority for Homeland Security.

Many countries allow dogs, cats, and ferrets with appropriate documentation and vaccination history to accompany travelers. Is there a need for possible exemptions to importation requirements for dogs, cats, and ferrets that are traveling with their owners abroad and returning to the United States?

Exemptions should be granted for pets traveling with their owners, but effective procedures for verifying ownership must be part of the exemption process to prevent misuse. Several international rescue programs recruit American vacationers to transport strays to the US on their return flights, to be marketed in adoption programs.

Is there a need for other types of exemptions for dogs, cats, and ferrets?

We believe that the requirements needed for pets entering from developing countries and other places where zoonotic diseases are hyper-endemic should be strong and strictly enforced. Exemptions may be granted so long as they do not weaken the intent of the law.

Should HHS/CDC consider additional requirements that might reduce the risk of importing



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communicable diseases from dogs, cats, and ferrets into the United States, and make the implementation of these regulations more feasible and effective at ports of entry?

When Americans ship dogs to Japan, they have to wait until the dogs are 8 months old and their titer against rabies has reached a level acceptable to the Japanese. Given the fact that we can produce all the pets we need in the US and have a highly regulated pet industry, it is a mystery why we accept any pets from countries without regulated pet industries; ones lacking reasonable standards of veterinary medicine and vaccination; and ones known for widespread zoonotic disease and parasites. Using a risk benefit model, it's hard to imagine that the risks don't outweigh any possible benefits. To avoid huge expense and the need to euthanize sick animals that don't meet the requirements of the new regulations, the regulations should be written such that exporters who don't comply should bear the burden of their failure, not the US. Setting up enforceable penalties against exporters and the exporting country for failing to meet requirements would be far preferable to setting up a system that, through default or lack of forethought, requires the US to pay the penalty for noncompliant exporters. Programs that certify exports prior to their transport to the US would be useful and in our view preferable to systems that enable importers to quarantine imported animals when they arrive in the US. Pets destined for the United States should be barred from boarding international transportation systems unless they demonstrate compliance with our import requirements.

For firms and other entities potentially affected by the options discussed in the ANPRM, what types of negative (or positive) impacts could occur?

Anyone working with these pets, from private pet owners to large and small scale importers, including shelters and rescuers, will benefit from these regulations. The risk-benefit ratio is overwhelmingly in favor of imposing more effective and enforceable regulations.

What types of businesses and other entities would the options affect?

To be effective it would affect all parties – profit and nonprofit - that import and transfer pets, whether large scale pet sellers or small scale flea market sellers or sanctuaries that adopt out these pets for a fee.

What provisions would have the greatest impact?

Provisions that prevent the entry of puppies, kittens and kits before they have been vaccinated and developed immunity against rabies. These are precisely the provisions that are needed to protect public health.

How would the revenues and costs of affected businesses change under the various approaches discussed in the ANPRM? For example, what percent of revenues are these options likely to affect in the short, medium, and long term (e.g., one year, 10 years, and 30 years)?

In the long run, regulating imports will save the pet industry money by preventing disease. Eventually, systems that certify exports prior to their departure from countries of origin will streamline the process and further strengthen protection against zoonotic diseases.

How could HHS/CDC reduce or avoid the impact on small entities, and how would any changes to reduce impact on small entities affect the potential effectiveness of the rules?

The actions of small importers can pose serious risks to public health. We have the ability to produce enough pets in the US to meet the demand. We believe that protecting the public and their animals from



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zoonotic and other contagious diseases should be a higher priority and an established practice before helping small entities import pets from foreign countries.

End of comments by NAIA