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December 13, 2007

Dr. Colleen Calderwood
Virginia Department of Agriculture and Consumer Services
Office of Veterinary Services
Oliver Hill Building, First Floor
102 Governor Street
Richmond, VA 23219

RE: Proposed Virginia "Regulation for Scrapie Eradication"

Dear Dr. Calderwood:

These are my personal observations and comments on the proposed Virginia "Regulation for Scrapie Eradication". They are in line with USDA, APHIS, Veterinary Services mission objectives and goals for the National Scrapie Eradication Program.

In accordance with Title 9, Code of Federal Regulations, Animals and Animal Products, Part 79, States need to have intrastate laws or regulations in place effectively requiring official identification of sheep and goats of any age not in slaughter channels and any sheep over 18 months of age so that the sheep or goat may be traced to its flock of birth. 9 CFR, Part 79 allows some exemptions for certain situations and types of animals. In September, 2001, states were given a time table to complete this or be officially listed in the Code of Federal Regulations as an "INCONSISTENT STATE", meaning the state is not in total compliance with the 9 CFR, Part 79.

USDA, APHIS, Veterinary Services has reviewed the status of the Scrapie program in the Commonwealth of Virginia and it has not met the timeline, even with extensions, for putting intrastate Scrapie regulations in place. Virginia is the only state in the Union that has not done so. If Virginia has not put regulations in place by the end of March, 2008, then USDA will begin the process to list Virginia as an inconsistent state.

Quite simply, if Virginia is listed as an inconsistent state, some of the consequences Virginia sheep and goat producers who wish to ship animals across state lines will have to live with will be as follows:

In addition to the current federal requirements for official identification and a permit, sexually intact Scrapie exposed animals not from an infected or source flock will need to originate from a flock in the Complete Monitored category of the Voluntary Scrapie Flock Certification Program.

In addition to the current federal requirements for official identification and a permit, sexually intact sheep, sexually intact goats except low risk goats, and low risk commercial sheep will need to originate from a flock in the Complete Monitored category of the Voluntary Scrapie Flock Certification Program.

Sexually intact low risk goats, castrated sheep and goats, and commercial low risk goats have no interstate restrictions on them now, but in an inconsistent state they will need an official identification and a health certificate to move in interstate commerce.

There will also be burdensome restrictions requiring individual animal handling, identification, and paperwork for sheep consigned to interstate slaughter channels.

If Virginia does end up as an inconsistent state, then USDA, APHIS, Veterinary Services does plan to shift its resources within the Commonwealth of Virginia in order to enforce the federal regulations in 9 CFR, Part 79. It will also increase its monitoring of sheep and goats in other states that are placed in interstate commerce in Virginia.

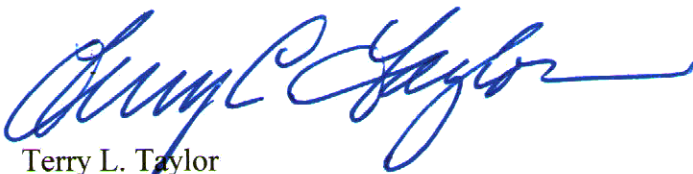
In addition to the federal interstate regulations, it is very likely that other states will have or will put in place additional state level restrictions on Virginia sheep and goats entering their borders.

I would also like to counter a point brought up by opponents of this proposed regulation at the Virginia Board of Agriculture Meeting on December 6, 2007 in Richmond, Virginia. Opponents tried to confuse these regulations with the National Animal Identification System. I wish to be clear that Virginia's proposed regulations have no connection with NAIS. NAIS is a **voluntary** program that seeks to have livestock, poultry and horse owners obtain a national premises identification and individual or group animal identification. The premises and animal identification requirements of the National Scrapie Eradication Program have been **mandatory** since September, 2001, and the identification system is separate and apart from NAIS.

Some opponents of this regulation also stated that it needed to be rewritten with improvements they suggested. Virginia has been writing and re-writing proposals for an intrastate regulation for Scrapie for more than 6 years now. It is not going to be possible to please everyone who will be affected by a Scrapie intrastate regulation, and the consequences of no intrastate regulation will ultimately have a greater adverse effect on the sheep and goat industries in our state than a regulation.

I urge Virginia to approve the proposed Scrapie intrastate regulation.

Sincerely,



Terry L. Taylor
Area Veterinarian in Charge
Virginia