

December 4, 2009



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PPD, APHIS, Station 3A-03.8  
4700 River Road Unit 118,  
Riverdale, MD 20737-1238

**Docket No. APHIS—2009—0073**

**Re: Comments Regarding A New Approach for Managing Bovine Tuberculosis: Veterinary Services' Proposed Action Plan**

Dear Dr. Clifford:

Texas Cattle Feeders Association (TCFA) represents cattle feeders and feedyards in Texas, New Mexico and Oklahoma—an area that markets almost 30% of the nation's fed beef, or 6.5 million head annually. TCFA represents one of the nation's largest beef producing regions, and cattle production plays a significant role in our state and national economies, accounting for \$50 billion in U.S. farm-gate receipts – 20 percent of all on-farm income. TCFA appreciates the tremendous amount of effort that USDA has put into carefully evaluating the current federal tuberculosis (TB) regulations and the willingness to advance meaningful suggestions to revise the existing program to reflect the current status of the disease in the United States today.

The national tuberculosis eradication program has successfully reduced the incidence of the disease in United States (U.S.) cattle, but there continues to be a low incidence of TB as evidenced by the newly identified infected herds over the past several years. As we face the challenge of the current TB episodes in the near term, we are also extremely interested in working with USDA to improve the national TB program to ensure that we meet its long term goal of protecting human and animal health by eradicating the disease from our nation's cattle herd.

In order to have a more concerted effort to achieve the end goal of complete eradication of bovine TB from our U.S. cattle herds, with no recursions, it has become evident that USDA's program needs to be updated, and the antiquated testing methodologies and surveillance tools be improved.

The Uniform Methods and Rules (UM&R) are outdated, using now invalid assumptions. In fact, recommendations dating from 2004 have never been adopted. Testing and depopulation strategies need to be updated. Because existing 1917-era testing methodologies are also antiquated and inadequate, APHIS's current eradication program preferred method to control TB is depopulation of the entire herd of cattle when one positive is found. Therefore one positive diagnosis affects many non-infected animals, many non-infected herds and producers, and costs millions of dollars for testing and quarantine. It also affects an entire state due to the current "state status" rules in the UM&R.

TCFA supports efforts to make the federal rule more effective, more flexible and better adaptable to changes in disease research, diagnostics and the cattle industry by focusing on areas of risk rather than detailed standards and requirements that are the norm today. Improvements to the program should focus on risk reduction potential, and we are concerned that the alternative identified in the document to require some imported cattle to be sent directly to quarantine or terminal feedlots and prohibiting interim grazing or pasturing is not only unworkable for producers, but not likely to prevent the types of TB incidents that have occurred in recent years. So long as producers prevent commingling of Mexican feeder cattle and other cattle, there is no reason to prohibit pasturing or restrict Mexican feeder cattle to quarantine or terminal feedlots.

TCFA in conjunction with other state and national cattle organizations and animal health professionals recently developed the following classifications, definitions and biosecurity practices to address concerns and prevent potential TB transmission between Mexican feeder cattle and non-terminal breeding cattle in a feedlot or a pasture in a more practical and less burdensome way. The recommendations also were adopted by the United States Animal Health Association at their meeting in October.

## **Bovine TB Program Recommendations for Inclusion in the CFR**

### **CLASSES OF CATTLE**

**LOW RISK** – cattle not known to be exposed to TB and cattle not from high risk populations. To maintain their low risk status, they can only be pastured separate and apart (no shared water or feeding equipment) from cattle from a higher risk category and/or fed in an unrestricted feedlot.

*BREEDING/REPLACEMENT CATTLE* – Sexually intact male and female cattle used for beef or dairy production or intended for use for beef or dairy production. Breeding or replacement cattle that are commingled with high risk cattle should be reclassified to high risk status. In order to remove the high risk status from the breeding or replacement cattle, all of the Mexican origin high risk cattle would have to be tested for TB with negative results or the breeding and replacement cattle would be placed under hold order until they are tested negative on two TB tests not less than 60 days apart.

*LOW RISK STOCKER/FEEDER CATTLE*- U.S. origin cattle, that have not been commingled with animals from a higher risk category, which are grown on pastures and/or feedlots for finish feeding.

*LOW RISK EXHIBITION/RODEO CATTLE*- U.S. origin cattle temporarily used for rodeos, team penning competitions, cutting horse events, and other exhibitions where no commingling with cattle from a higher risk category has occurred.

**HIGH RISK** – High Risk cattle are stocker, feeder and exhibition cattle of Mexican origin. In addition, low risk cattle commingled with high risk cattle will be re-classified as high risk. High risk animals can only be fed in restricted, quarantined, or the restricted or quarantined portions of dual purpose feedlots.

*HIGH RISK STOCKER CATTLE* – Light weight or young Mexican origin cattle, or domestic cattle classified as high risk, which need to be grown on pastures or grazing areas before movement to feedlots for finish feeding.

*HIGH RISK FEEDER CATTLE* – high risk cattle as defined above ready for finish feeding.

*HIGH RISK EXHIBITION/RODEO CATTLE* – Mexican origin cattle, or domestic cattle classified as high risk, that are used for rodeos or other exhibition purposes.

**TB EXPOSED** – cattle from a herd known to be infected with TB or cattle that have been exposed to TB infected cattle. These animals may only be fed in quarantined lots and only after a negative tuberculosis test.

### **CLASSES OF FEEDLOTS**

#### **UNRESTRICTED FEEDLOT**

Used for feeding of low risk cattle only

Cattle may be removed from the feedlot for pasturing, breeding or replacement Tracebacks of lesioned cattle to an unrestricted feedlot from which cattle have been removed for breeding or replacement may result in the feedlot being classified as a herd, and could count against state status as an infected herd

#### **RESTRICTED FEEDLOT**

Used for finish feeding cattle for slaughter only

Provisions for short term grazing and return to the feedlot

Can accept high risk cattle but not TB exposed

Can accept low risk cattle but animals will be reclassified as high risk upon entry

Tracebacks of lesioned cattle to the restricted lot would not result in classification of the feedlot as a herd

#### **QUARANTINED FEEDLOT**

A feedlot approved for feeding TB exposed cattle

Can accept lower classes of cattle but they will be held to the same standards upon entry to the quarantined lot

No provisions for grazing or pasturing

Approval by agreement between feedlot and chief state/federal animal health officials

All animals must move directly from the quarantined feedlot to slaughter or another quarantined feedlot

Traceback of lesioned cattle to a quarantined feedlot would not result in classification of the feedlot as a herd

#### **DUAL PURPOSE FEEDLOT**

A restricted feedlot may designate a pen or portion of their facility as either “ Quarantined” or “Unrestricted” , but not both (quarantined and unrestricted statuses cannot be maintained on a single premise). These pens and the animals contained therein would be held to the same standards as a quarantined or unrestricted feedlot. A system would be developed that eliminates the risk of disease transmission from the higher risk of cattle to the lesser risk.

This would include:

- a. Buffer zone separated by two fences and a distance of at least 30 feet must be maintained between classes of facilities

- b. Drainage from higher risk areas cannot flow through areas of a lesser risk
- c. No shared watering or feeding troughs between classes of facilities
- d. Separate hospital/sick pen facilities
- e. Separate processing/receiving facilities for the different classes of livestock **or**, these facilities must be cleaned and disinfected prior to being used for cattle of a less restricted class. In addition, a standard operating procedure that can verify that this system is being followed must be implemented and documented.
- f. To reclassify "quarantined" pens as "restricted" pens,
  - a. All exposed animals and animals in contact with exposed animals are removed from the pens
  - b. Pens must be cleaned and disinfected as directed by a designated tuberculosis epidemiologist.
- g. To reclassify "restricted" pens to "unrestricted pens"
  - a. 30 days must have passed since any exposed animals or animals in contact with exposed animals are removed from the pens.
  - b. Pens must be cleaned and disinfected as directed by a designated tuberculosis epidemiologist.

## **OTHER POINTS**

**GRAZING OF HIGH RISK CATTLE** - High risk stocker or feeder cattle may be grazed before entering a restricted feedlot or may be processed at a restricted yard and then be removed for grazing so long as there is no commingling with other classes of cattle. Separation from other classes of livestock can be accomplished by an effective fence, either a well maintained stock fence or a hot wire fence. The grazing of high risk cattle across a fence from low risk cattle is considered a low risk practice so long as the fence is sufficient to maintain separation and there is not common water or other facilities shared across or through the fence. In addition, these cattle must be returned to the feedlot for finish feeding following the grazing period.

**HERD** - as defined in the Code of Federal Regulations-except for livestock assembled at feedlots, any group of livestock maintained for at least 4 months on common ground for any purpose, or two or more groups of livestock under common ownership or supervision, geographically separated but that have an interchange or movement of livestock without regard to health status, as determined by the Administrator.

**FEEDLOT**- a facility for congregating and feeding cattle, including Unrestricted Feedlot, Restricted Feedlot, Quarantine Feedlot and Dual Purpose Feedlot.

## **ALTERNATIVE OPTION**

In most feedlots in the United States, cattle destined directly for slaughter far outnumber the cattle that are likely to return to pasture outside the feedlot. As biosecurity measures and best practices are discussed, it makes sense to provide flexibility to producers and feedlot operators such that the relatively smaller group of cattle in a feedlot can be isolated or quarantined to emphasize the protection of those cattle not destined to remain in slaughter channels. If the emphasis were placed on preventing commingling with breeding animals and those returning to pasture, not only would this minimize exposure but it would allow feedlot operations practicing appropriate biosecurity to continue with minimal disruption and control regulatory oversight costs.

As evidenced by these recommendations, producers recognize the need to follow good practices in herd management and biosecurity to ensure that cattle are managed in a way that reduces risk for disease transmission. Cattle producers expect to continue working toward improving management methods and to work to avoid higher risk animal movement and commingling, and at the same time expect that USDA will seek to determine root causes of TB incidents.

TB control is dependent on adequate surveillance of appropriate populations of cattle and other species, identification of all possible sources of infection and appropriate biosecurity protocols. Bovine TB is a zoonotic disease that can affect cattle, humans and many other species. We know there is a contributing wildlife reservoir and this is becoming more problematic in many states. To date there has not been enough coordinated attention paid to the extra complications this requires. Surveillance and trace-out capabilities need to be improved. There might also be a human component that needs to be further scientifically evaluated.

We promote the development of new diagnostics within and outside of APHIS for TB infection in other species and include these species under the current national eradication program. There is also an urgent need for the exploration of other diagnostic technologies and innovative applications of epidemiology towards eradication of this disease. An improved review of the risk factors that contribute to the spread of this disease, including control methods to protect against the disease, is required. Steps should be taken to more fully examine each of the risk factors that have the potential to propagate the disease now and in the future and help develop program changes to address them. Only in this way can we clearly distinguish between factors that have caused TB and those that might pose risk such that we can avoid placing blame on common risk factors that may not be involved in many episodes.

There is no doubt that improved testing of livestock prior to entry into the United States, including testing at the port of entry, would help better manage the known incidence of TB in Mexico. The most important change in this regard would include use of a test method superior to the current caudal fold skin test. While relatively few TB impacted herds have directly traced to imported cattle, developing a greater sense of security that all animals entering the country are free from TB makes a number of other concerns moot.

Development of a new test is the lynchpin for many of the difficult issues related to TB, and it is critical that USDA maintain focus and work collaboratively and aggressively with entities seeking to identify and validate one or more improved, official tests. At present, there are a number of new serological blood tests that have been developed in the private sector and that are now seeking validation. The hope is that these tests will not only become more accurate in detecting TB positive animals, but will detect less false positives and, therefore, cause less unnecessary testing and effort on the part of state and federal animal health professionals and producers.

A superior test to accurately detect positive animals is a critical step that must be taken to solve a number of the most difficult TB problems facing the nation's cattle producers. USDA must continue efforts to obtain samples, make available the serum bank of positive animals and develop and communicate clear protocols for candidate tests to proceed rapidly through the system and become validated for official use.

TCFA is pleased to see the USDA recommendation to transition to a risk-based zoning approach for disease control and surveillance. TB does not recognize state borders, and recent difficulties encountered by beef producers in California and New Mexico – where TB was found in a small number of dairy cows has restricted movement of unconnected beef cows hundreds of miles away – provide strong examples of the need to make this change.

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Current management tools allow for a much more sophisticated approach than that of the current TB program rules, and assessments and management of risk on a more risk-based localized fashion, rather than geopolitical boundaries, would be a strong step forward to help focus USDA resources in areas where they are most needed.

As this change is adopted, cattle producers expect that the federal government will continue to provide resources to state and local animal health officials who are the front line in enforcing zone boundaries and movement. Additionally, as long as states continue to have ultimate authority to set standards for import of cattle from TB-affected states, it is important that the federal program retain credibility such that states, particularly those who have not experienced TB in recent years, feel comfortable moving from a state-status based system and allowing movement of unaffected herds from TB-affected states.

We sincerely appreciate all of the hard work and efforts APHIS has previously done to contain and eradicate this disease. While we still have a few concerns with the document, we are pleased with the progress and look forward to actively working with USDA to obtain the ultimate goal of expediently eradicating this disease from the U.S. cattle herd and preventing future recursions.

Sincerely,

A handwritten signature in black ink that reads "Ross Wilson". The signature is written in a cursive, flowing style.

Ross Wilson  
President & CEO