

**WRITTEN STATEMENT ON VIRAL HEMORRHAGIC SEPTICEMIA
AND ASSOCIATED RULES PROMULGATION**

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The following statement is presented on behalf of Michigan Aquaculture Association to USDA APHIS.

The Michigan Aquaculture Association (MAA) has members from the aquaculture, baitfish and related private-sector industries, Michigan Sea Grant, Michigan Farm Bureau, and academic researchers from the State of Michigan. Members of MAA have expertise in a variety of disciplines. MAA member names and qualifications will be furnished upon request.

The State of Michigan has as much, if not more, at stake to the threat of viral hemorrhagic septicemia (VHS) in the Great Lakes as any other State within the US. VHS is indeed of grave concern to MAA. This disease is new to the region, its effects are relatively unknown and VHS threatens the very livelihoods of many individuals. Also of concern are ramifications resulting from potentially mismanaged regulative activities. Effective expeditious management of VHS will be best accomplished on science-based approach, by experts familiar with this disease and regional fishery activities.

Introduction of VHS to the Great Lakes Region was not by aquaculture (public or private) nor the baitfish industry, yet they, and only in this region of the US, have been singled out by USDA for restrictive measures. The economic damage, incurred and potential, to the aquaculture and baitfish industries are protected by US Title 7 Chapter 109 Animal Health Protection Act (AHPA), the same legislation used to precipitously quarantine the Great Lakes Region.

USDA APHIS's action of invoking the Emergency Federal Order (FO)10/24/06, and Amended 11/14/06, indicates that APHIS is intent on overruling individual State authority by imposing a Federal Interim Ruling (IR) on VHS disease control, specifically targeting aquaculture and baitfish industries. This is an unprecedented event since historic examples of epizootic outbreaks to US aquaculture production facilities have not proven to warrant such action. Should APHIS proceed in this direction, MAA requests that Federal authorities take under full consideration the following accounts:

1.0 – All Potential Vectors

APHIS to date has not addressed the original vector of VHS into the Great Lakes Region. Ballast water has been implicated by some regional experts as the vector by which VHS was introduced into the Great Lakes. If all potential vectors, especially ballast water, are not part of an APHIS promulgation, then the entire process will have been in vain.

2.0 – Science-based Regulatory Controls

- 1.1 A watershed approach is required. Diseases have no political boundaries. Zoning issues must be based on all potential vectors including water flow and fish movement. Two main points have not been addressed by the federal order: 1) VHS has been reported in the US Pacific Northwest and Atlantic Ocean, and 2) 2.067 billion gallons of water flows out of the Great Lakes into the Mississippi River Basin daily. Electric barriers will not stop VHS.
- 1.2 Regional fishery and industry experts are needed in the decision making process in addition to experts in disease control.
- 1.3 The species list is currently inadequate and should be evaluated. The list should be easily updated as needs arise.
- 1.4 If APHIS is setting precedence at this juncture, a thorough review of VHS, and all other aquatic diseases currently known to be a threat in the US should be included in current APHIS assessments.
- 1.5 Detection methods should be evaluated for reliability. USDA should promote research in the area of rapid detection methods.

3.0 – Economic Assessment and Assistance

- 3.1 Economic assessment of impacts resulting from the FO and potential IR should be conducted under auspice of the US Department of Commerce. National market shares are highly at stake.
- 3.2 Indemnification programs need to be established (reference US 9 CFR part 53, e.g., spring viremia of carp and infectious salmon anemia)
- 3.3 Economic margins are nominal in the US aquaculture and baitfish industries. Federal laws requiring mandatory testing will cause severe economic hardship to these industries. Federal assistance to cover the costs of testing should be included in any such action taken by APHIS.

4.0 – Monitoring, Testing Capacity and Enforcement

- 4.1 Actions taken by regulatory agencies need to include reliable and updated monitoring methods in addition to adequate laboratory facilities and qualified personnel to meet any VHS testing requirements mandated by these actions.
- 4.2 Laws imposed must be adequately enforced.

5.0 – Standardized Regulations

To date, there has been little effort between State regulatory agencies to standardize import/stocking requirements of live aquatic species. Perhaps this is one reason for the

current state of affairs. Uniform standardization of fish importation requirements across regional and national boundaries are needed.

5.1 Aquaculture Facilities

The State of Michigan has required VHS certification for aquaculture facility salmonid imports and stocking of public waters for 7 years. The federal order has resulted in a confusion among states regarding certification standards. This problem needs to be settled quickly and uniformly.

5.1.1 Blue Book and OIE standards should remain acceptable.

4.1.2 If OIE is adopted only, clarification of a 2-year certification history standard is required. Allowance (for Blue Book certification) should be made over an adequate phase-in period.

5.1.3 Facilities on well water should only have to test once per year and certify disease free for all lots brought into the farm. Increasing frequency requirements over current OIE standards would not provide additional security, but would add additional costs.

5.2 Baitfish

Michigan Sea Grant has worked with the Michigan aquaculture and baitfish industries to develop an Aquatic Invasive Species HACCP program specifically designed to help control invasives in the Great Lakes (see attached). A similar program is currently being explored for VHS.

4.1.1 Any regulations aimed at baitfish farmers will be ineffective unless recreational fisherman fall under the same regulations. APHIS policies.

4.1.2 Wild harvest should not be allowed in infected zones unless a means is established to ensure harvested species will remain within that zone.

4.1.3 Any imposed certification programs should be standardized across all states.

4.3 Zoning

Examination of the spread of other invasive species (e.g. zebra mussels) show, unequivocally, there is no such thing as a “free” zone. Zoning regulations, if imposed

should include two zones: 1) infected and 2) surveillance.

In closing, MAA strongly urges USDA APHIS to take into account all points listed above. Past experience would indicate that this issue is either blown way out of proportion, or current actions will, at best, simply slow down the spread of VHS. More than likely, VHS will follow a similar path to those observed from all other aquatic epizootics previously established in the US.

Respectfully submitting,

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