

AMENDED FEDERAL ORDER
VIRAL HEMORRHAGIC SEPTICEMIA (VHS)
April 2, 2008

The purpose of this Federal Order is to prevent the spread of viral hemorrhagic septicemia (VHS) into aquaculture facilities. This Order amends and replaces the Order for VHS issued on November 8, 2007, by allowing the importation or interstate movement of VHS-susceptible live species of fish (as specified below) under certain conditions, while continuing to prevent the spread of VHS.

This Order is issued pursuant to the Animal Health Protection Act (AHPA). The AHPA authorizes the Secretary of Agriculture to prohibit or restrict the importation or movement in interstate commerce of any animal, article, or means of conveyance if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of any pest or disease of livestock into or within the United States.

Due to outbreaks of VHS, the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary, in order to prevent the spread of VHS into aquaculture facilities, to prohibit or restrict the importation of VHS-susceptible species of live fish from two Canadian Provinces into the United States and to prohibit or restrict the interstate movement of the same species of live fish from VHS-affected or at-risk States.

All international and interstate movement of VHS-susceptible species of live fish from affected or at-risk Provinces or States that is not specified as permissible by this Order is prohibited.

1. Affected or At-Risk Regions

U.S. States: Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

Canadian Provinces: Ontario, Quebec

2. VHS-Susceptible Species of Live Fish

The current list of species of VHS-susceptible live fish affected by this Order is located on the APHIS Web site at www.aphis.usda.gov/vs/aqua/. A paper copy of this list may also be received by calling 301-734-6188.

3. Permissible International Movement of VHS-Susceptible Species of Live Fish

- (a) VHS-susceptible species of live salmonid fish from affected Canadian provinces may be imported into the United States only if the shipment meets the requirements set forth in title 50, Code of Federal Regulations, Sections 16.13 (a) (3) and 16.13 (b).

(b) VHS-susceptible species of live non-salmonid fish from affected Canadian provinces may be imported into the United States for direct slaughter under an APHIS-issued permit.

(c) Catch and release fishing activities

Catch and release fishing activities involving VHS susceptible fish are permissible. Catch and release fishing activities are defined as: fishing for pleasure or recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, compare and release live VHS-susceptible fish, except any VHS-susceptible fish used or intended to be used as live bait.

4. Permissible Movement of VHS-Susceptible Species of Live Fish from VHS-affected or at-risk States

(a) Movement to slaughter facilities:

VHS-susceptible species of live fish may be moved interstate from any VHS-affected or at-risk State to any other State if all of the following conditions are met:

- (1) The fish are for human consumption.
- (2) The fish, if not tested for VHS, are accompanied by a valid form VS 1-27 (Permit for Movement of Restricted Animals) issued by an APHIS area office.
- (3) The fish are transported to a State-inspected slaughter facility. The slaughter facility must discharge waste water to a municipal sewage system that includes waste water disinfection. Alternately, the slaughter facility may discharge to either a non-discharging settling pond or a settling pond that disinfects according to all applicable EPA and State regulatory criteria. Offal, including carcasses, from the slaughter facility must be either rendered or composted.

(b) Movement to research and diagnostic laboratories

VHS-susceptible species of live fish may be moved interstate from VHS-affected or at-risk States to research or diagnostic laboratories in any State if all of the following conditions are met:

- (1) The fish are transported to an approved research or diagnostic laboratory. Laboratory approval to work with VHS shall be authorized by the State, Tribal or Federal competent authority for aquatic animal health.
- (2) The fish are accompanied by a valid form VS 1-27 (Permit for Movement of Restricted Animals) issued by an APHIS area office.
- (3) Effluent and carcasses shall be considered medical waste and shall be disposed of at the receiving research or diagnostic facility according to all applicable EPA and State regulatory criteria.

(c) Catch and release fishing activities

Catch and release fishing activities involving VHS susceptible fish are permissible. Catch and release fishing activities are defined as: fishing for pleasure or recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, compare and release live VHS-susceptible fish, except any VHS-susceptible fish used or intended to be used as live bait.

(d) Other movement

VHS-susceptible species of live fish from VHS-affected or at-risk States may be moved interstate to any State if the following conditions are met:

The fish are transported with documentation from the appropriate State, Tribal, or Federal competent authority(s) for aquatic animal health stating that the fish have tested negative for VHS virus according to (i) the USFWS/AFS-FHS Standard Procedures for Aquatic Animal Health Inspections section of the Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens 2005 Edition, American Fisheries Society, Fish Health Section, Bethesda, Maryland (commonly referred to as the AFS Blue Book); or (ii) the World Organization for Animal Health (OIE) Manual of Diagnostic Tests for Aquatic Animals, Fifth Edition (2006), Chapter 2.1.5, OIE, Paris, France.

5. Permissible Movement of VHS-Susceptible Species of Live Fish through VHS-affected or at-risk States

For live fish originating from non-restricted areas, permission to transit through a State to another State of destination is not required under this Order.