

Public Law 107-9
107th Congress

An Act

To establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as "mad cow disease") and foot-and-mouth disease in the United States.

May 24, 2001

[S. 700]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Animal Disease
Risk Assessment,
Prevention, and
Control Act of
2001.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Disease Risk Assessment, Prevention, and Control Act of 2001".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) it is in the interest of the United States to maintain healthy livestock herds;

(2) managing the risks of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases in the United States may require billions of dollars for remedial activities by consumers, producers, and distributors of livestock and animal and blood products;

(3) the potential introduction of those diseases into the United States would cause devastating financial losses to—

(A) the agriculture industry and other economic sectors; and

(B) United States trade in the affected animals and animal products;

(4) foot-and-mouth disease is a severe and highly contagious viral infection affecting cattle, deer, goats, sheep, swine, and other animals;

(5) the most effective means of eradicating foot-and-mouth disease is by the slaughter of affected animals;

(6) while foot-and-mouth disease was eradicated in the United States in 1929, the virus could be reintroduced by—

(A) a single infected animal, an animal product, or a person carrying the virus;

(B) an act of terrorism; or

(C) other means;

(7) once introduced, foot-and-mouth disease can spread quickly through—

(A) exposure to aerosols from infected animals;

(B) direct contact with infected animals; and

(C) contact with contaminated feed, equipment, or humans harboring the virus or carrying the virus on their clothing;

(8) foot-and-mouth disease is endemic to more than $\frac{2}{3}$ of the world and is considered to be widespread in parts of Africa, Asia, Europe, and South America;

(9) foot-and-mouth disease occurs in over 7 different serotypes and 60 subtypes;

(10) as foot-and-mouth disease outbreaks have occurred, the United States has banned the importation of live ruminants and swine and many animal products from countries affected by foot-and-mouth disease;

(11) recently, the United States has implemented bans in response to outbreaks in Argentina, the European Union, and Taiwan;

(12) although United States exclusion programs have been successful at keeping foot-and-mouth disease out of the United States since 1929, recent outbreaks in Argentina, the European Union, and Taiwan are placing an unprecedented strain on our animal health system;

(13) bovine spongiform encephalopathy is a transmissible, neuro-degenerative disease found in cattle;

(14) in cattle with bovine spongiform encephalopathy, the active agent is found primarily in the brain and spinal cord and has not been found in commonly consumed beef products;

(15) bovine spongiform encephalopathy is thought to have an incubation period of several years but is ultimately fatal to cattle within weeks of onset of the active disease;

(16) bovine spongiform encephalopathy was first widely found in 1986 in cattle in the United Kingdom;

(17) bovine spongiform encephalopathy-carrying cattle have been found in cattle in Belgium, Denmark, France, Germany, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Portugal, Spain, and Switzerland;

(18) cattle infected with bovine spongiform encephalopathy originating from the United Kingdom have been found and intercepted in Canada;

(19) since 1989, the Secretary of Agriculture has prohibited the importation of live grazing animals from countries where bovine spongiform encephalopathy has been found in cattle;

(20) other products derived from grazing animals, such as blood meal, bonemeal, fat, fetal bovine serum, glands, meat-and-bone meal, and offal, are prohibited from entry, except under special conditions or under permits issued by the Secretary of Agriculture for scientific or research purposes;

(21) on December 12, 1997, the Secretary of Agriculture extended those restrictions to include all countries in Europe because of concerns about widespread risk factors and inadequate surveillance for bovine spongiform encephalopathy;

(22) on December 7, 2000, the Secretary of Agriculture prohibited all imports of rendered animal protein products from Europe;

(23) Creutzfeldt-Jacob disease is a human spongiform encephalopathy;

(24) on March 20, 1996, the Spongiform Encephalopathy Advisory Committee of the United Kingdom announced the identification of 10 cases of a new variant of Creutzfeldt-Jacob disease;

(25) all 10 patients developed onsets of the disease in 1994 or 1995;

(26) scientific experts (including scientists at the Department of Agriculture, the Department of Health and Human Services, and the World Health Organization) are studying the possible link (including potential routes of transmission) between bovine spongiform encephalopathy and variant Creutzfeldt-Jacob disease;

(27) from October 1996 to December 2000, 87 cases of variant Creutzfeldt-Jacob disease have been reported in the United Kingdom, 3 cases in France, and 1 case in Ireland; and

(28) to reduce the risk of human spongiform encephalopathies in the United States, the Commissioner of Food and Drugs has—

(A) banned individuals who lived in Great Britain for at least 180 days since 1980 from donating blood in the United States; and

(B) established regulations that prohibit the feeding of most animal-derived proteins to grazing animals.

(b) PURPOSE.—The purpose of this Act is to provide the people of the United States and Congress with information concerning—

(1) actions by Federal agencies to prevent foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases;

(2) the sufficiency of legislative authority to prevent or control foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases in the United States;

(3) the economic impacts associated with the potential introduction of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases into the United States; and

(4) the risks to public health from possible links between bovine spongiform encephalopathy and other spongiform encephalopathies to human illnesses.

SEC. 3. REPORT TO CONGRESS.

(a) PRELIMINARY REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the committees and subcommittees described in paragraph (2) a preliminary report concerning—

Deadline.

(A) coordinated interagency activities to assess, prevent, and control the spread of foot-and-mouth disease and bovine spongiform encephalopathy in the United States;

(B) sources of information from the Federal Government available to the public on foot-and-mouth disease and bovine spongiform encephalopathy; and

(C) any immediate needs for additional legislative authority, appropriations, or product bans to prevent the introduction of foot-and-mouth disease or bovine spongiform encephalopathy into the United States.

(2) SUBMISSION OF REPORT TO CONGRESS.—The Secretary shall submit the preliminary report to—

(A) the Committee on Agriculture of the House of Representatives;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Subcommittee on Agriculture, Rural Development, and Related Agencies of the Committee on Appropriations of the Senate; and

(D) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(b) FINAL REPORT.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the committees and subcommittees described in subsection (a)(2) a final report that—

(A) discusses the economic impacts associated with the potential introduction of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases into the United States;

(B) discusses the potential risks to public and animal health from foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases; and

(C) provides recommendations to protect the health of animal herds and citizens of the United States from those risks including, if necessary, recommendations for additional legislation, appropriations, or product bans.

(2) CONTENTS.—The report shall contain—

(A) an assessment of the risks to the public presented by the potential presence of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases in domestic and imported livestock, livestock and animal products, wildlife, and blood products;

(B) recommendations to reduce and manage the risks of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases;

(C) any plans of the Secretary to identify, prevent, and control foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases in domestic and imported livestock, livestock products, wildlife, and blood products;

(D) a description of the incidence and prevalence of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in other countries;

(E) a description and an analysis of the effectiveness of the measures taken to assess, prevent, and control the risks of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in other countries;

(F) a description and an analysis of the effectiveness of the measures that the public, private, and nonprofit sectors have taken to assess, prevent, and control the risk of foot-and-mouth disease, bovine spongiform encephalopathy, and related diseases in the United States, including controls of ports of entry and other conveyances;

(G) a description of the measures taken to prevent and control the risk of bovine spongiform encephalopathy and variant Creutzfeldt-Jacob disease transmission through blood collection and transfusion;

(H) a description of any measures (including any planning or managerial initiatives such as interagency, intergovernmental, international, and public-private sector partnerships) that any Federal agency plans to initiate or continue to assess, prevent, and control the spread of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States and other countries;

(I) plans by Federal agencies (including the Centers for Disease Control and Prevention)—

(i) to monitor the incidence and prevalence of the transmission of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States; and

(ii) to assess the effectiveness of efforts to prevent and control the spread of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States;

(J) plans by Federal agencies (including the Agricultural Research Service, the Cooperative State Research, Education, and Extension Service, and the National Institutes of Health) to carry out, in partnership with the private sector—

(i) research programs into the causes and mechanism of transmission of foot-and-mouth disease and bovine spongiform encephalopathy; and

(ii) diagnostic tools and preventive and therapeutic agents for foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases;

(K) plans for providing appropriate compensation for affected animals in the event of the introduction of foot-and-mouth disease, bovine spongiform encephalopathy, or related diseases into the United States; and

(L) recommendations to Congress for legislation that will improve efforts to assess, prevent, or control the transmission of foot-and-mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States and in other countries.

(c) CONSULTATION.—

(1) PRELIMINARY REPORT.—In preparing the preliminary report under subsection (a), the Secretary shall consult with—

(A) the Secretary of the Treasury;

(B) the Secretary of Commerce;

(C) the Secretary of State;

(D) the Secretary of Health and Human Services;

(E) the Secretary of Defense;

(F) the United States Trade Representative;

(G) the Director of the Federal Emergency Management Agency; and

(H) representatives of other appropriate Federal agencies;

(2) FINAL REPORT.—In preparing the final report under subsection (b), the Secretary shall consult with—

(A) the individuals listed in paragraph (1);

(B) private and nonprofit sector experts in infectious disease, research, prevention, and control;

(C) international, State, and local governmental animal health officials;

(D) private, nonprofit, and public sector livestock experts;

(E) representatives of blood collection and distribution entities; and

(F) representatives of consumer and patient organizations and other interested members of the public.

Approved May 24, 2001.

LEGISLATIVE HISTORY—S. 700:

CONGRESSIONAL RECORD, Vol. 147 (2001):

Apr. 5, considered and passed Senate.

May 9, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

May 24, Presidential statement.