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Proposed Rule for Importation of Pork and Pork Products From Greece and Certain Regions of Italy

**Environmental Assessment,
March 2003**

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I. Need for Proposed Action

International trade agreements permit countries to place trade restrictions only if they are scientifically based and transparent. New information indicates that Greece and certain regions in Italy are now considered to be free of swine vesicular disease. If this is the case, U.S. regulations governing the importation of pork or pork products from those areas should be revised to reflect the reduced risk of introducing swine vesicular disease into the United States.

II. Alternatives and Their Impacts

The two alternatives examined include the no action alternative and amending the regulations covering the importation of pork and pork products (9 Code of Federal Regulations (CFR) 94.12 and 94.13) to add the regions specified herein to the list of regions declared to be free of swine vesicular disease and to the list of regions whose exports of pork and pork products are subject to certain restrictions to ensure negligible risk of introducing swine vesicular disease into the United States.

A. No Action Alternative

The no action alternative involves retaining the current importation regulations, which allow the importation of pork or pork products from the EU regions in question only if the pork or pork products comply with a set of conditions specified at 9 CFR 94.12(b). The no action alternative was not deemed to be acceptable because the current importation regulations are not supported by data on the status of swine vesicular disease in the regions in question. Maintenance of such unsupported regulations would be contrary to U.S. obligations under international trade agreements.

B. Rule Amendment Alternative

The preferred alternative would amend the regulations covering the importation of pork and pork products to recognize Greece and the following regions in Italy as free of swine vesicular disease: Friuli, Liguria, Marche, and Valle d'Aosta. This amendment would allow pork and pork products to be imported from Greece and the specified regions in Italy without being subject to the conditions specified in 9 CFR 94.12(b). The restrictions described in 9 CFR 94.13 that apply to certain regions declared free of swine vesicular disease would apply to pork and pork products imported from Greece and the specified regions in Italy.

III. Environmental Impacts of the Action and Its Alternative

A. No Action Alternative

The no action alternative would not allow pork and pork products to be imported from the EU regions specified herein unless the pork or pork products complied with the requirements specified at 9 CFR 94.12(b), *i.e.*, it would maintain the current regulations governing the importation of the animals or animal products in question. This alternative would have no effect on human health or the environment. This alternative, however, is inconsistent with the requirements of international trade agreements (North American Free Trade Agreement, 1995, and World Trade Organization, 1995).

B. Rule Amendment Alternative

1. Potential for Spread of Swine Vesicular Disease

Swine Vesicular Disease (SVD) is a highly contagious disease of swine caused by an enterovirus from the *Picornavirus* family. The virus is significant in its extraordinary resistance to environmental factors. It resists dessication, freezing, and the fermentation and smoking processes used to preserve food. It can survive in a pH range of 2.5–12 in temperatures from -20 °C to 12 °C (-4 °F to 53 °F) for 4 to 11 months, is resistant to most common disinfectants, and must be held at 60 °C (140 °F) for 10 minutes to be heat inactivated. There is a potential for rapid spread of the disease agent from uncooked infected pork products to swine. Also, feces and vesicular fluid contain high levels of the virus. Even vehicles or streams contaminated by effluent from a hog farm can serve as sources of infection (USAHA, 1998).

Swine are the only natural hosts. Baby mice can be experimentally infected, and accidental human infections have occurred in laboratory settings. However, swine vesicular disease is not considered to be a public health issue (USAHA, 1998).

2. Preventive Measures

Veterinary Services (VS) has evaluated documentation on the swine industry in Greece provided by the European Commission's (EC's) Directorate General for Agriculture. The evaluation indicates that the authority, organization, and infrastructure of the swine industry in Greece, the disease

surveillance in the region, the diagnostic laboratory animal health structure, surveillance for swine vesicular disease, movement controls, and laboratory and diagnostic capabilities are sufficient to rapidly detect, contain, and eradicate any incursion of swine vesicular disease that might occur in the region.

VS also has evaluated information on the swine industry in Italy provided by the EC's Directorate General for Agriculture. The evaluation indicates that the swine industry structure, surveillance for swine vesicular disease, movement controls, and laboratory and diagnostic capabilities are sufficient to rapidly detect, contain, and eradicate any incursion of swine vesicular disease that might occur in the regions of Friuli, Liguria, Marche, and Valle d'Aosta.

3. Summary of Environmental Impacts

Based on a qualitative assessment of the risk factors related to swine vesicular disease in Greece and the regions in Italy specified in section III.B.2, APHIS has concluded that there is negligible risk that pork or pork products imported from Greece or the specified regions in Italy will contain swine vesicular disease (USDA, 1999 and 2000). These risk assessments are hereby incorporated by reference.

In accordance with APHIS' final rule (Docket No. 94-106-9) and policy statement (Docket No. 94-106-9) on regionalization, the following risk factors were considered in evaluating the status of the regions:

- Authority, organization, and infrastructure of the veterinary services in the region.
- Disease surveillance in the region.
- Diagnostic laboratory capabilities.
- Disease status of the region.
- Active disease control program, if any, if the agent is known to exist in the region.
- Vaccination status of the region.
- Disease status of adjacent regions.
- Separation of the region from regions of higher risk through physical or other barriers.
- Control of movements of animals and animal products from regions of higher risk.
- Livestock demographics and marketing practices in the region.
- Emergency response capability.

IV. Special Considerations

A. Environmental Justice/Native American Issues

This EA is consistent with Executive Order No. 12898, “Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations.” This action will not result in disproportionately high and adverse human health or environmental effects on any minority populations and/or low-income populations in the United States.

B. Children’s Health Issues

Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks (62 FR 19885–19888), and APHIS’ corresponding Directive 5600.3 (USDA, APHIS, 1999b) do not apply to this proposed action. The proposed action presents no risks to the health or safety of children.

V. Conclusions

The risk of introducing swine vesicular disease into the United States as a result of this rule change is negligible. Therefore, the addition of the EU regions specified herein to the list of regions considered to be free of swine vesicular disease should not have any significant adverse impacts on the environment.

VI. Listing of Agencies and Persons Consulted

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VII. References

USAHA, 1998. (United States Animal Health Association). Foreign Animal Diseases. 462 pp.

USDA, APHIS - U.S. Department of Agriculture, Animal and Plant Health Inspection Service

USDA, APHIS, Veterinary Services (VS), 2000. Evaluation of risk factors for swine vesicular disease in certain regions of Italy. 5 pp.

USDA, APHIS, VS, 1999. Evaluation of Risk Factors for Foot-and-Mouth Disease and Swine Vesicular Disease in Greece. 5 pp.

USDA, APHIS, VS, 1999. Evaluating APHIS Programs' and Activities for Ensuring Protection of Children From Environmental Health Risks and Safety Risks. APHIS Directive 5600.3. September 3, 1999.

**Finding of No Significant Impact
for
Final Rule For Importation of Pork and Pork Products
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The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services prepared an environmental assessment (EA) that analyzes the potential effects on the human environment of amending the regulations covering the importation of pork and pork products to recognize Greece and certain regions in Italy as free of swine vesicular disease. This amendment would allow pork and pork products to be imported from Greece and the following regions of Italy: Friuli, Liguria, Marche, and Valle d'Aosta.

The EA was prepared to comply with the National Environmental Policy Act of 1969 (NEPA), as amended (42 United States Code 4321 *et seq.*), the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA (40 Code of Federal Regulations (CFR) 1500–1508), the USDA regulations implementing NEPA (7 CFR part 1), and APHIS' NEPA Implementing Procedures (7 CFR part 372). The EA is available through the Internet at <http://www.aphis.usda.gov/ppd/es/vsdocs.html> and from the following office:

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The EA analyzed the alternatives of (1) No Action, and (2) Proposed Action. Based on the information presented in the EA, I have selected Alternative 2, Proposed Action, as the preferred alternative because the Final Rule will have no significant impact on the human environment. The import restrictions that will be lifted as a result of this rule are no longer necessary based on the disease status in Greece and the specified regions of Italy, and maintaining such unsupported rules would be contrary to U.S. obligations under international trade agreements. The subject rule will not result in disproportionately high and adverse human health or environmental effects on any minority populations and low-income populations, and will not present any risks to the health or safety of children.

/s/

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3/29/03

Date