

107TH CONGRESS
1ST SESSION

S. 708

To provide the citizens of the United States and Congress with a report on coordinated actions by Federal agencies to prevent the introduction of foot and mouth disease and bovine spongiform encephalopathy into the United States and other information to assess the economic and public health impacts associated with the potential threats presented by those diseases.

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2001

Mr. HATCH (for himself, Mr. HARKIN, Mr. CAMPBELL, Mr. DURBIN, Mr. DASCHLE, Mr. ROBERTS, Mr. DAYTON, Mr. CONRAD, Mr. DORGAN, Mr. JOHNSON, Mr. FEINGOLD, Mr. KOHL, Mr. NELSON of Nebraska, Mr. GRASSLEY, Mr. LUGAR, Mr. BOND, Mr. BROWNBACK, Mrs. FEINSTEIN, Mr. AKAKA, Mr. BINGAMAN, Mr. BAUCUS, Mr. BURNS, Mr. CRAIG, Mr. ENZI, Mr. THOMAS, Mrs. LINCOLN, Mr. EDWARDS, Mr. HOLLINGS, Mr. HELMS, Mrs. CLINTON, Mr. CRAPO, Ms. MIKULSKI, Mr. LEAHY, Mr. FITZGERALD, Mr. WYDEN, Mr. ROCKEFELLER, Mr. ALLARD, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide the citizens of the United States and Congress with a report on coordinated actions by Federal agencies to prevent the introduction of foot and mouth disease and bovine spongiform encephalopathy into the United States and other information to assess the economic and public health impacts associated with the potential threats presented by those diseases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Animal Disease Risk
5 Assessment, Prevention, and Control Act of 2001”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

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

10 (2) managing the risks of foot and mouth dis-
11 ease, bovine spongiform encephalopathy, and related
12 diseases in the United States may require billions of
13 dollars for remedial activities by consumers, pro-
14 ducers, and distributors of meat and blood products;

15 (3) the potential introduction of those diseases
16 into the United States would cause devastating fi-
17 nancial losses to—

18 (A) the agriculture industry and other eco-
19 nomic sectors; and

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

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

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

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

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

9 (B) an act of terrorism; or

10 (C) other means;

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

13 (A) exposure to aerosols from infected ani-
14 mals;

15 (B) direct contact with infected animals;
16 and

17 (C) contact with contaminated feed, equip-
18 ment, or humans harboring the virus or car-
19 rying the virus on their clothing;

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

24 (9) foot and mouth disease occurs in over 7 dif-
25 ferent serotypes and 60 subtypes;

1 (10) as foot and mouth disease outbreaks have
2 occurred, the United States has banned the importa-
3 tion of live ruminants and swine and many animal
4 products from countries affected by foot and mouth
5 disease;

6 (11) recently, the United States has imple-
7 mented bans in response to outbreaks in Argentina,
8 the European Union, and Taiwan;

9 (12) although United States exclusion programs
10 have been successful at keeping foot and mouth dis-
11 ease out of the United States since 1929, recent out-
12 breaks in Argentina, the European Union, and Tai-
13 wan are placing an unprecedented strain on our ani-
14 mal health system;

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

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

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

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

4 (17) bovine spongiform encephalopathy-carrying
5 cattle have been found in cattle in Belgium, Den-
6 mark, France, Germany, Ireland, Italy, Liech-
7 tenstein, Luxembourg, the Netherlands, Portugal,
8 Spain, and Switzerland;

9 (18) cattle infected with bovine spongiform
10 encephalopathy originating from the United King-
11 dom have been found and intercepted in Canada;

12 (19) since 1989, the Secretary of Agriculture
13 has prohibited the importation of live grazing ani-
14 mals from countries where bovine spongiform
15 encephalopathy has been found in cattle;

16 (20) other products derived from grazing ani-
17 mals, such as blood meal, bonemeal, fat, fetal bovine
18 serum, glands, meat-and-bone meal, and offal, are
19 prohibited from entry, except under special condi-
20 tions or under permits issued by the Secretary of
21 Agriculture for scientific or research purposes;

22 (21) on December 12, 1997, the Secretary of
23 Agriculture extended those restrictions to include all
24 countries in Europe because of concerns about wide-

1 spread risk factors and inadequate surveillance for
2 bovine spongiform encephalopathy;

3 (22) on December 7, 2000, the Secretary of Ag-
4 riculture prohibited all imports of rendered animal
5 protein products from Europe;

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

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

12 (25) all 10 patients developed onsets of the dis-
13 ease in 1994 or 1995;

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

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

1 (28) to reduce the risk of human spongiform
2 encephalopathies in the United States, the Commis-
3 sioner of Food and Drugs has—

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

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

10 (b) PURPOSE.—The purpose of this Act is to provide
11 the people of the United States and Congress with infor-
12 mation concerning—

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

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

20 (3) the economic impacts associated with the
21 potential introduction of foot and mouth disease, bo-
22 vine spongiform encephalopathy, and related dis-
23 eases into the United States; and

24 (4) the risks to public health from possible links
25 between bovine spongiform encephalopathy and

1 other spongiform encephalopathies to human ill-
2 nesses.

3 **SEC. 3. REPORT TO CONGRESS.**

4 (a) PRELIMINARY REPORT.—

5 (1) IN GENERAL.—Not later than 30 days after
6 the date of enactment of this Act, the Secretary of
7 Agriculture shall submit to the Committees and Sub-
8 committees described in paragraph (2) a preliminary
9 report concerning—

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

14 (B) sources of information from the Fed-
15 eral Government available to the public on foot
16 and mouth disease and bovine spongiform
17 encephalopathy; and

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

23 (2) SUBMISSION OF REPORT TO CONGRESS.—

24 The Secretary shall submit the preliminary report
25 to—

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

3 (B) the Committee on Agriculture, Nutri-
4 tion, and Forestry of the Senate;

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

9 (D) the Subcommittee on Agriculture,
10 Rural Development, Food and Drug Adminis-
11 tration, and Related Agencies of the Committee
12 on Appropriations of the House of Representa-
13 tives.

14 (b) FINAL REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this Act, the Sec-
17 retary of Agriculture shall submit to the Committees
18 and Subcommittees described in subsection (a)(2) a
19 final report that—

20 (A) discusses the economic impacts associ-
21 ated with the potential introduction of foot and
22 mouth disease, bovine spongiform
23 encephalopathy, and related diseases into the
24 United States;

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

5 (C) provides recommendations to protect
6 the health of animal herds and citizens of the
7 United States from those risks including, if nec-
8 essary, recommendations for additional legisla-
9 tion, appropriations, or product bans.

10 (2) CONTENTS.—The report shall contain—

11 (A) an assessment of the risks to the pub-
12 lic presented by the potential presence of foot
13 and mouth disease, bovine spongiform
14 encephalopathy, and related diseases in domes-
15 tic and imported livestock, livestock and animal
16 products, wildlife, and blood products;

17 (B) recommendations to reduce and man-
18 age the risks of foot and mouth disease, bovine
19 spongiform encephalopathy, and related dis-
20 eases;

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

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

6 (E) a description and an analysis of the ef-
7 fectiveness of the measures taken to assess, pre-
8 vent, and control the risks of foot and mouth
9 disease, bovine spongiform encephalopathy, var-
10 iant Creutzfeldt-Jacob disease, and related dis-
11 eases in other countries;

12 (F) a description and an analysis of the ef-
13 fectiveness of the measures that the public, pri-
14 vate, and nonprofit sectors have taken to as-
15 sess, prevent, and control the risk of foot and
16 mouth disease, bovine spongiform
17 encephalopathy, and related diseases in the
18 United States, including controls of ports of
19 entry and other conveyances;

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

1 (H) a description of any measures (includ-
2 ing any planning or managerial initiatives such
3 as interagency, intergovernmental, inter-
4 national, and public-private sector partnerships)
5 that any Federal agency plans to initiate or
6 continue to assess, prevent, and control the
7 spread of foot and mouth disease, bovine
8 spongiform encephalopathy, variant Creutzfeldt-
9 Jacob disease, and related diseases in the
10 United States and other countries;

11 (I) plans by Federal agencies (including
12 the Centers for Disease Control and Preven-
13 tion)—

14 (i) to monitor the incidence and prev-
15 alence of the transmission of foot and
16 mouth disease, bovine spongiform
17 encephalopathy, variant Creutzfeldt-Jacob
18 disease, and related diseases in the United
19 States; and

20 (ii) to assess the effectiveness of ef-
21 forts to prevent and control the spread of
22 foot and mouth disease, bovine spongiform
23 encephalopathy, variant Creutzfeldt-Jacob
24 disease, and related diseases in the United
25 States;

1 (J) plans by Federal agencies (including
2 the Agricultural Research Service, the Coopera-
3 tive State Research, Education, and Extension
4 Service, and the National Institutes of Health)
5 to carry out, in partnership with the private
6 sector—

7 (i) research programs into the causes
8 and mechanism of transmission of foot and
9 mouth disease and bovine spongiform
10 encephalopathy; and

11 (ii) diagnostic tools and preventive
12 and therapeutic agents for foot and mouth
13 disease, bovine spongiform encephalopathy,
14 variant Creutzfeldt-Jacob disease, and re-
15 lated diseases;

16 (K) plans for providing appropriate com-
17 pensation for affected animals in the event of
18 the introduction of foot and mouth disease, bo-
19 vine spongiform encephalopathy, or related dis-
20 eases into the United States; and

21 (L) recommendations to Congress for legis-
22 lation that will improve efforts to assess, pre-
23 vent, or control the transmission of foot and
24 mouth disease, bovine spongiform
25 encephalopathy, variant Creutzfeldt-Jacob dis-

1 ease, and related diseases in the United States
2 and in other countries.

3 (c) CONSULTATION.—

4 (1) PRELIMINARY REPORT.—In preparing the
5 preliminary report under subsection (a), the Sec-
6 retary shall consult with—

7 (A) the Secretary of the Treasury

8 (B) the Secretary of Commerce;

9 (C) the Secretary of State;

10 (D) the Secretary of Health and Human
11 Services;

12 (E) the Secretary of Defense;

13 (F) the United States Trade Representa-
14 tive;

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

17 (H) representatives of other appropriate
18 Federal agencies;

19 (2) FINAL REPORT.—In preparing the final re-
20 port under subsection (b), the Secretary shall con-
21 sult with—

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

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

- 1 (C) international, State, and local govern-
2 mental animal health officials;
- 3 (D) private, nonprofit, and public sector
4 livestock experts;
- 5 (E) representatives of blood collection and
6 distribution entities; and
- 7 (F) representatives of consumer and pa-
8 tient organizations and other interested mem-
9 bers of the public.

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