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Questions and Answers: Bovine Tuberculosis Federal Order

Q. What does the Federal Order do?
A. In short, the Federal Order removes certain Federal movement restrictions and testing obligations from animals not affected by tuberculosis (TB) in certain States where TB has been found. This allows producers to conduct business as usual if their herd is not affected by the disease. Only producers with affected herds would face more stringent requirements.

The Federal Order is an interim measure meant to minimize the negative impacts of the existing TB program until the regulations can be amended.

Q. To whom does the Federal Order apply?
A. The Federal Order applies only to the following two groups: accredited free States/zones (that have found or may find TB) and modified accredited advanced (MAA) States/zones that have previously been classified as accredited free. Puerto Rico and the U.S. Virgin Islands and all States are included in one of these two groups.

However, Michigan, Minnesota and New Mexico have an existing Memorandum of Understanding in place to support each of their split state status. We will continue to apply the requirements of these agreements to the MAA zones of these States since this approach is consistent with our future direction of adapting disease surveillance and management plans to each distinctive set of circumstances.

Q. What does the Federal Order mean for me as a producer in an accredited free State/zone?
A. For producers in accredited free States/zones, this Federal Order will not change much—except if TB is found in the State/zone.

Producers with herds affected by TB would face the necessary quarantine and testing procedures. Depending on the circumstances, a recommendation would be made for testing and removal of affected animals or for depopulation of the herd.

If the disease were found in the State/zone and the herd was not depopulated, the State would not be downgraded to a lower status level, as long as the State can prove it has the appropriate plans in place to prevent the further spread of TB. Producers throughout the State with animals unexposed to the disease should be able to continue their normal practices.

All other regulations from the TB program will continue to be enforced.

Q. What does the Federal Order mean for me as a producer in a modified accredited advanced State/zone?
A. Producers in a modified accredited advanced State/zone whose herds are unaffected by TB would regain the ability to move their animals interstate without testing for TB.

All other regulations from the TB program will continue to be enforced.

Q. What does the Federal Order mean for me as a producer in a modified accredited, accreditation preparatory, or nonaccredited State/zone?
A. The Federal Order does not apply to these States/zones. Producers will continue to follow the existing TB program regulations applicable to the State's status.

Q. When does the Federal Order take effect?
A. The Federal Order takes effect on April 15, 2010.

Q. How long does the Federal Order last?
A. This Federal Order is intended as an interim measure until revised bovine TB regulations can be proposed for review and public comment, and final rules issued. APHIS will continue to monitor the effectiveness of this Federal Order and will re-evaluate it within 2 years unless revised bovine TB regulations have been put in place.

Q. Why is APHIS' Veterinary Services (VS) program taking this action?
A. The current TB eradication program needs to be updated, as it does not match the needs of today's producers.

The regulations were written at a time when TB was prevalent throughout the country and were effective in drastically reducing the number of animals affected. Today, TB is pretty much eliminated—except for sporadic outbreaks.

While the goal is to revise the entire TB program,

the rulemaking process takes time. To bring about some of the urgently needed changes more quickly, VS is issuing a Federal Order.

The Federal Order will make it easier for producers with herds unaffected by TB in certain States where the disease has been found to move their animals and continue normal operations.

The Federal Order is consistent with the ideas outlined in the concept paper VS developed from feedback received during a series of listening sessions with producers, stakeholders, and animal health officials in December 2008.

VS' proposed action plan also aligns with changes for VS in 2015 by emphasizing prevention and detection.

Q. What is a Federal Order?
A. Under the Animal Health Protection Act, APHIS is authorized to prohibit or restrict the interstate movement or importation of animals and other articles as necessary to prevent the introduction or dissemination of any pest or disease of livestock. The Act also provides that APHIS may promulgate regulations, and issue orders, as it determines necessary, to carry out the purposes of this Act. These "orders" are called "federal orders" and are generally used in situations where immediate action is necessary. These orders are authorized in section 10416 of the Act (7 U.S.C. 8315).

Q. Does APHIS have the authority to issue Federal Orders?
A. Yes. APHIS is authorized by the Animal Health Protection Act to issue Federal Orders as needed to quickly address emerging situations or to make corrections in regulations that are having a significant negative impact on animal health.

Q. Will I have any say in future changes to the TB program?
A. As the U.S. Department of Agriculture (USDA) and APHIS continue to move forward with developing new regulations for the TB program, we will continue to engage stakeholders and other interested parties for input.

Q. What is the TB program?
A. The cooperative eradication program began in 1917 to eliminate TB from the Nation's livestock population. TB was once the most prevalent infectious disease of cattle in the United States. It caused more losses among U.S. farm animals in the early part of the 20th century than all other infectious diseases combined.

APHIS VS works with State animal health officials and producers to test for the disease and to keep it from spreading if found.

Today, TB is pretty much eliminated—except for sporadic outbreaks. VS is working to update regulations governing the TB program to make it better fit with the needs of today's U.S. livestock producers.

Q. What is bovine tuberculosis?
A. Bovine TB is a contagious and infectious disease caused by *Mycobacterium bovis*. It affects cattle, bison, deer, elk, goats, humans, and other warm-blooded species and can be fatal.

Q. Where can I learn more about the TB program?
A. For more information about bovine TB and the TB program, please visit:
www.aphis.usda.gov/animal_health/animal_diseases/tuberculosis/.

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