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May 3, 2010

The Honorable Janet Napolitano Secretary U.S. Department of Homeland Security Washington, D.C. 20528

Sent Via Facsimile; Original Via U.S. Mail

## Re: Outbreak of Foot-and-Mouth Disease (FMD) in South Korean Veterinary Research Facility Demonstrates a Heightened Risk Regarding DHS' Plan to Relocate FMD Research Facility to America's Heartland

Dear Secretary Napolitano:

Over the weekend, on May 1, 2010, ProMED-mail, a program of the International Society for Infectious Diseases, reported that a new outbreak of the foot-and-mouth disease (FMD) virus was confirmed in a state-run livestock and veterinary science institute in South Chungcheong Province, South Korea. Prior to this latest outbreak, ProMED-mail reported that South Korea had experienced 16 outbreaks since Jan. 1, 2010, representing two separate epizootics. Of particular interest is that ProMED-mail also reported that:

Quarantine control and decontamination efforts carried out at the site [the staterun livestock and veterinary science institute] are much more stringent than normal farms, raising concerns that the nationwide effort to contain the disease may not be effective.

Your agency should be alarmed by this recent outbreak, particularly because you are proposing to relocate the United States' veterinary research facility for pernicious FMD viruses to Manhattan, Kansas, which is located in the very heart of the High Plains region that is commonly referred to as the U.S. "Beef Belt."

Also alarming is that U.S. Department of Agriculture (USDA) scientists recently concluded a comprehensive risk analysis regarding the potential for FMD outbreaks in South Korea. Outbreaks are now occurring in South Korea despite USDA's presumed science-based conclusion published on December 28, 2009, that South Korea was free of FMD and that: 1) South Korea has the veterinary infrastructure in place to detect and effectively eradicate FMD (*see* 74 Fed. Reg., 68479); 2) South Korea "has the veterinary and regulatory infrastructure to detect and control <u>any</u> incursion of FMD into the country" (*see* USDA risk assessment for South Korea, at 12 (Emphasis added.); 3) "Biosecurity measures and controls at Korean beef production facilities are effective in preventing FMD outbreaks" (74 Fed. Reg., 14095); 4) South

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Korea "has emergency response plans in place for controlling FMD should an outbreak of the disease occur" (*id.*, 14096); 5) "the historical absence of disease in the region and the ability to quickly detect the disease if it is introduced in the absence of vaccination further support evidence of the absence of disease in the Republic of Korea" (USDA risk assessment for South Korea, at 33); 6) South Korea has demonstrated it can "take appropriate action in case of an FMD outbreak. The disease control authority, programs, and animal health management appear adequate. Emergency response capacity appears well planned, documented, and readily implemented" (*id.*, at 37); and,

Based on an evaluation of the 11 factors and observations from the site visit, APHIS considers that the Republic of Korea has the legal framework, animal health infrastructure, disease detection capabilities, reporting systems, and emergency response systems that are necessary for maintaining the Republic of Korea as free of FMD. (*id.*, at 39.)

Despite USDA's glowing report on how *unlikely* it would be for South Korea to experience widespread FMD outbreaks, that is precisely what is happening in South Korea today (ProMED reports more than 49,000 Korean animals were ordered to be culled as a result of that country's ongoing outbreaks). When one considers this most recent outbreak is reported in a veterinary science institute where mitigations are more stringent than normal, it is clear that the risk of an FMD outbreak is far more evasive and far more likely to occur than USDA can accurately measure or predict.

Based on South Korea's ongoing FMD experience, combined with the clear evidence USDA lacks the ability to predict not only the actual risk of FMD, but also, the capacity to measure the effectiveness of measures designed to control FMD outbreaks, we are concerned any action by the U.S. Department of Homeland Security to allow live FMD viruses on the U.S. mainland will result in the potential for FMD release and subsequent infection in U.S. livestock. Obviously, USDA neither has sufficient knowledge regarding the vulnerability of U.S. livestock to this dangerous disease, nor does the agency precisely know all the ways in which this disease may be transmitted. We implore you to reverse your decision to relocate FMD live-virus research to America's Heartland – a decision certain to increase the risk of FMD exposure to U.S. livestock.

Sincerely,

R. M. Hernslein OVM

R. M. Thornsberry, D.V.M., President

Cc: Dr. Tara O'Toole, Under Secretary for the Science and Technology for the Science and Technology Directorate, U.S. Department of Homeland Security The Honorable Tom Vilsack, U.S. Secretary of Agriculture The Honorable Jon Tester, U.S. Senate