

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4051

2001 SENATE AGRICULTURE

SCR 4051

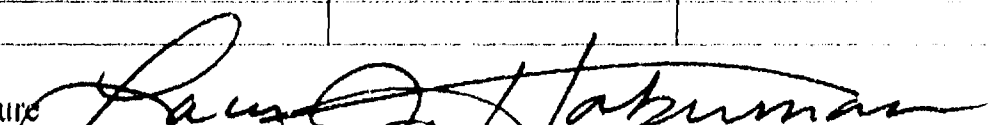
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4051

Senate Agriculture Committee

☐ Conference Committee

Hearing Date 4--5--2001

Tape Number	Side A	Side B	Meter #
April 5	X		15.3 - 29.2
April 9	X		0.0 - 3.0
Committee Clerk Signature 			

Minutes: Joint hearing with House Agriculture Committee.

**1A:15.3 SENATOR WANZEK:** SCR 4051 is a Concurrent Resolution urging Congress to take any and all measures necessary to guard against the spread of all livestock diseases, including hoof and mouth disease and bovine spongiform encephalopathy, and to encourage aggressive efforts on the part of other countries with a view to eradicating these diseases with all possible celerity. PLEASE READ BILL WHICH IS ATTACHED. ALSO SEE THE ATTACHED FACT SHEET PRESENTED BY WADE MOSER, NORTH DAKOTA STOCKMAN'S ASSOCIATION AND TESTIMONY PRESENTED BY DR. LARRY A. SCHULER, DVM, STATE VETERINARIAN AND EXECUTIVE OFFICER OF THE STATE BOARD OF ANIMAL HEALTH.

**SENATOR WANZEK:** Opened on SCR 4051. This Resolution has significant importance to all of us not just in ND but in other countries. With all the hoof and mouth disease problems that we read about that is happening overseas as to Mad Cow Disease. This Resolution encourages our congress to take all measures necessary to guard against spread of all livestock diseases including hoof and mouth disease. I think it is very critical, you look at how it has paralyzed the other countries overseas. Not just paralyzing the industry but paralyzing the tourism, paralyzing the whole country. I think this is serious and we should take our part in making a strong statement trying to help those out who are trying to do something about those who are insuring that the disease does not spread into our country.

**CHAIRMAN NICHOLAS:** Who would like to give testimony.

**SENATOR SOLBERG:** I am here to encourage a DO PASS on the hoof and mouth disease Resolution. I think it is important to be vigil. I guess I am not even so worried about the visitor traffic as I am about the lack of in this world, the tree huggers, the vegetarians that are looking to undermine the livestock industry. The terrorist that they can threaten this country by this I think is even more reaching. Interestingly, yesterday, I had on the floor with me, and I got to show her around a little, a young lady from Finland. She is an attorney in the Department of Agriculture in Finland. There work has just about been constantly dealing with foot and mouth disease etc. They are extremely concerned about it. They feel that we are even in more danger then they are because of the radical move that we have in this country. I wish there was something more that we could do other then a Resolution. At this time it is the appropriate thing to do and I would ask for your support and quick action on this Resolution.

**CHAIRMAN NICHOLAS:** Senator Solberg, I would just tell you that we did concur with your one hundred and seventy thousand dollars that you sent over from the Senate. We concurred with on the Floor of the House, I believe that money will be used by the State Veterinarian and his people who are trying to stop the spread of this problem in ND. He is here and maybe he can tell us a little bit about exactly how that is going to be used.

**SENATOR SOLBERG:** One other thing Committee Members. I deal with XL Packing in Nebraska. I have talked to their buyers that I do business with and he tells me that packing plants, large and small, are having their supplies of cattle sign an affidavit that their cattle have not been fed any type of animal byproducts what so ever. I think the seed manufactures are going to get the word very quickly because the packing plants are getting pressure on those that are buying the products from them whether it be domestic or certainly overseas. It is coming down and coming quickly and it will not be long before everybody is going to be right in tune with that and as you know that is what the BFC comes from is animal byproducts. The next year will be interesting. It will be what we can do to stop the spread of the disease. Pre-empt the spread. One other thing the XL Plant. About 35% of their products is being imported. Basically in the Pacific Rim. The more we can guarantee disease free products, the more our exports will increase.

**CHAIRMAN NICHOLAS:** Any other testimony?

**DR. LARRY SCHULER:** TESTIFIED IN FAVOR OF THE RESOLUTION.

TESTIMONY ATTACHED. PLEASE READ. WANT A DO PASS AT TO

**CHAIRMAN NICHOLAS:** Chairman Nicholas asked Larry as to his testimony.

My question is, are you aware of any feed companies now that we have a problem with at this time in this country? Is any of that feed that is out of compliance coming into ND.?

Would you be able to get that information?

LARRY S. Yes, I probably would be able to get that information.

CHAIRMAN NICHOLAS: I would appreciate it if you would get that information and provide that to our committee's as soon as possible. I for one am feeding cattle and have them on feed and I would like to know if any of mine are getting any of it. Be good if you can provide that for all legislatures.

LARRY SCHULER: Actually, the registration division in the Agr. Dept. is the agency that is agency that is responsible for following up on these enforcement of disease ban but I can get that if you want.

REPRESENTATIVE FROELICH: There are 7 different foot and mouth viruses?

LARRY S: Yes, there are seven different types and there are many different forms of the virus. Also, should we be talking about foot and mouth verses hoof and mouth, there was dialogue about an amendment to address the foot verses hoof.

REPRESENTATIVE FROELICH: Vaccine for this?

LARRY S. Yes, but there are many different forms of the disease and so a vaccine will not be effective for all diseases. Or protect against.

The US has a foot and mouth vaccine bank in conjunction with Canada and Mexico.

They have vaccines for different O types stored and ready for use. It could be on line in 3 days.

They would have several million doses available through that bank. In the US the vaccine would be used only for the preventing of spread of the disease.

In the world of international trade you are not considered a free country until you stop vaccinations and have no evidence of the disease without vaccination. That is the reason

vaccination would impair trade.

Great Britain outbreak of Foot and Mouth Disease came from smuggled meat from China is what the investigation shows. We are susceptible to that. Cattle will continue to test positive after after they have been given the vaccine. Even though you are vaccinating you are still going to get some infection but it slows the spread. You will have less virus shed after vaccinations. Slow the spread.

REPRESENTATIVE LLOYD:

We could contaminate the whole nation with just one airplane flying over and dumping germs etc. What is to stop this? IS IT POSSIBLE

LARRY S: It is a very real possibility. The US ARMY did a study as to Agr. terrorism, would be a very easy way to damage the US by interfering with their food supply. BIO terrorism is a very real problem. We are part of a bio terrorism group with SD AND MONTANA AND SOUTH DAKOTA AND IDAHO THROUGH A GRANT WHERE WE ARE TRYING IMPROVE SURVEILLANCE FOR UNUSUAL SITUATIONS.

It would be very easy to just go to a auction sale and you could have the disease spread around the country in a week. WE are doing a lot nationally to prevent BIO-Terrorism. Congress has provided money for this. South America has this disease and we are not importing cattle from there presently. They have had outbreaks recently. Argentina hid the disease for several months from us. That was a real risk to us.

The safeguards that we have is that we have cut off trade with those countries presently. Governments deny the existence of the disease. China denies they have the problem.

REPRESENTATIVE PEITSCH: Is it only a matter of time for us, or do we realistically think we can prevent this.

LARRY S: Most people in the know say it is not a matter of if but a matter of when.

That is why being able to respond and be prepared for a quick responsibility will minimize the effect. We need to be able to respond rapidly.

In animals that have been incinerated there are still germs that survive.

SENATOR URLACHER: You mentioned that we have to be able to respond quickly.

Can we identify through blood tests or do we have wait till the actual disease is visual.

LARRY S: Actually we would have to wait for clinical signs. That is why it is important for producers not to try to hide any disease, and for Vet. to be able to recognize disease right away. We have tried to make Vet. aware of the disease.

WADE MOSER: WE SUPPORT THE RESOLUTION: The laid back response of the USDA has been upsetting. Bring some of these issues forward has increased their awareness'. We need to make sure that our producers are aware that this is not a panic situation. We have diseases that threaten us everyday. If something dose happen we are prepared to take action, and resolve the situation. It is important that we have money available for disasters. I believe there would be money available with a disaster declaration if there was disease in a heard of cattle. It would come from the Federal all the way down. We passed a new Bill this session that addresses reimbursement. There was discussion as to amendments that will be added to this HCR.

CHAIRMAN NICHOLAS: ANY ADDITIONAL TESTIMONY.

THE HOOF USED IN THE BILL WAS DISCUSSED AND IT WILL PROBABLY BE CHANGED TO FOOT. USDA SHOULD BE INFORMED AS TO THIS RESOLUTION.



Page 7  
Senate Agriculture Committee  
Bill/Resolution Number SCR 4051  
Hearing Date 4--5--2001

A NEW DRAFT WILL BE DONE AS TO THE CHANGES. WE HAVE TO PASS THIS  
RESOLUTION OUT OF THE SENATE FIRST. TERRORISM SHOULD BE  
ADDRESSED.

CHAIRMAN NICHOLAS: CLOSED THE HEARING.....1A:29.2

April 9, 2001

Discussion was held.

SENATOR KLEIN moved to adopt the amendments (13134.0101).

SENATOR NICHOLS seconded the motion.

Voice vote was taken: 6 Yeas, 0 No, 0 Absent and Not voting.

Discussion.

SENATOR NICHOLS moved a DO PASS as amended.

SENATOR ERBELE seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR WANZEK will carry the bill.

Date: 4-9-01  
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 4051

Senate \_\_\_\_\_ Agriculture \_\_\_\_\_ Committee \_\_\_\_\_

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 13134.0101

Action Taken amendments

Motion Made By Sen. Klein Seconded By Sen. Nichols

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 4-9-01  
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 4051

Senate \_\_\_\_\_ Agriculture \_\_\_\_\_ Committee \_\_\_\_\_

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass - as amended

Motion Made By Sen. Nichols Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Wanzek

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SCR 4051: Agriculture Committee (Sen. Wanzek, Chairman)** recommends  
**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4051 was placed on the  
Sixth order on the calendar.

Page 1, line 2, replace "hoof" with "foot"

Page 1, line 5, replace "hoof" with "foot"

Page 1, line 17, replace "hoof" with "foot"

Page 1, line 19, replace "hoof" with "foot"

Page 1, line 22, replace "hoof" with "foot"

Page 1, line 23, replace "hoof" with "foot"

Page 2, line 1, replace "hoof" with "foot"

Page 2, line 19, after the semicolon insert "and

**WHEREAS**, federal, state, and local governmental entities must be prepared to  
address and counter not only the inadvertent spread of foot and mouth disease but  
also the intentional dissemination of this and similar diseases by individuals or groups  
that zealously oppose the continuation of the livestock industry;"

Page 2, line 24, replace "hoof" with "foot"

Page 2, line 28, after the first "the" insert "United States Attorney General, the" and after the  
comma insert "the Administrator of the Animal and Plant Health Inspection Service, the  
director of the Central Intelligence Agency, the director of the Federal Bureau of  
Investigation,"

Renumber accordingly

2001 HOUSE AGRICULTURE

SCR 4051

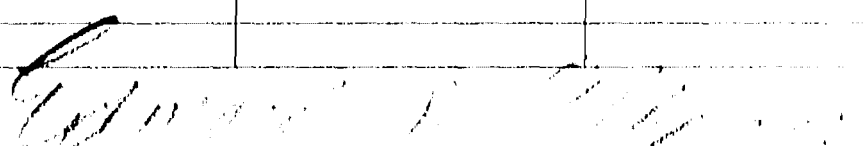
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4051

House Agriculture Committee

☐ Conference Committee

Hearing Date 4--5--2001

Tape Number	Side A	Side B	Meter #
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House Agriculture Committee  
Bill/Resolution Number SCR 4051  
Hearing Date 4--5--2001

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CHAIRMAN NICHOLAS: ANY ADDITIONAL TESTIMONY.

THE HOOF USED IN THE BILL WAS DISCUSSED AND IT WILL PROBABLY BE CHANGED TO FOOT. USDA SHOULD BE INFORMED AS TO THIS RESOLUTION. A NEW DRAFT WILL BE DONE AS TO THE CHANGES. WE HAVE TO PASS THIS RESOLUTION OUT OF THE SENATE FIRST. TERRORISM SHOULD BE ADDRESSED.

CHAIRMAN NICHOLAS: CLOSED THE HEARING.....1A:29.2

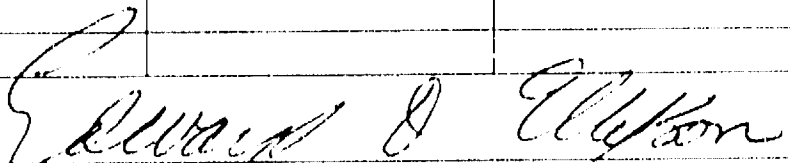
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4051

House Agriculture Committee

☐ Conference Committee

Hearing Date 4--12--01

Tape Number	Side A	Side B	Meter #
ONE	A		130 TO 300
Committee Clerk Signature 			

Minutes:

CHAIRMAN NICHOLAS: Committee Members. We will open the hearing on SCR 4051.

Any discussion? I'll entertain a motion.

REPRESENTATIVE BERG: I make a motion for a DO PASS.

REPRESENTATIVE D. JOHNSON: I second the motion.

CHAIRMAN NICHOLAS: All in favor say yes.

The clerk will take the Roll.

YES VOTES "13"

NO VOTES "00"

ABSENT "02"

REPRESENTATIVE FROELICH WILL CARRY SCR 4051

CHAIRMAN NICHOLAS: WE WILL CLOSE THE HEARING ON SCR 4051

4-12-2001  
Date:  
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SCR 4151

House AGRICULTURE

Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken \_\_\_\_\_

Motion Made By Berg Seconded By Johnson

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chairman	<input checked="" type="checkbox"/>		Rod Froelich	<input checked="" type="checkbox"/>	
Dennis E. Johnson - Vice Chairman	<input checked="" type="checkbox"/>		Doug Lemieux	<input checked="" type="checkbox"/>	
Rick Berg	<input checked="" type="checkbox"/>		Philip Mueller	<input checked="" type="checkbox"/>	
Michael Brandenburg			Kenton Onstad		
Joyce Kingsbury	<input checked="" type="checkbox"/>		Sally M. Slandvig	<input checked="" type="checkbox"/>	
Myron Koppang	<input checked="" type="checkbox"/>		Dennis J. Renner	<input checked="" type="checkbox"/>	
Edward H. Lloyd	<input checked="" type="checkbox"/>		Dwight Wrangham	<input checked="" type="checkbox"/>	
Bill Pietsch					

Total (Yes) 13 No 2

Absent 2

Floor Assignment REP 4151

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
April 12, 2001 11:24 a.m.

Module No: HR-65-8473  
Carrier: Froelich  
Insert LC: . Title: .

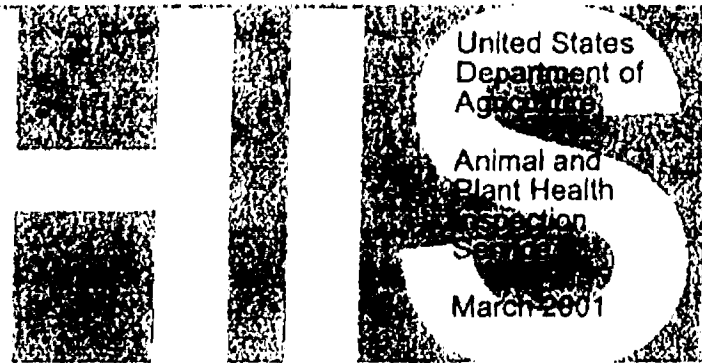
**REPORT OF STANDING COMMITTEE**

SCR 4051, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman)  
recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).  
Engrossed SCR 4051 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

SCR 4051





## Foot-and-Mouth Disease

Foot-and-mouth disease (FMD) is a severe, highly communicable viral disease of cattle and swine. It also affects sheep, goats, deer, and other cloven-hooved ruminants. FMD is not recognized as a zoonotic disease.

This country has been free of FMD since 1929, when the last of nine U.S. outbreaks was eradicated.

The disease is characterized by fever and blister-like lesions followed by erosions on the tongue and lips, in the mouth, on the teats, and between the hooves. Many affected animals recover, but the disease leaves them debilitated. It causes severe losses in the production of meat and milk.

Because it spreads widely and rapidly and because it has grave economic as well as clinical consequences, FMD is one of the animal diseases that livestock owners dread most.

### What Causes It

The disease is caused by a virus. The virus survives in lymph nodes and bone marrow at neutral pH, but is destroyed in muscle when in pH < 6.0 i.e. after rigor mortis. The virus can persist in contaminated fodder and the environment for up to one month, depending on the temperature and pH conditions.

There are at least seven separate types and many subtypes of the FMD virus. Immunity to one type does not protect an animal against other types.

### How It Spreads

FMD viruses can be spread by animals, people, or materials that bring the virus into physical contact with susceptible animals. An outbreak can occur when:

- People wearing contaminated clothes or footwear or using contaminated equipment pass the virus to susceptible animals.
- Animals carrying the virus are introduced into susceptible herds.
- Contaminated facilities are used to hold susceptible animals.

- Contaminated vehicles are used to move susceptible animals.
- Raw or improperly cooked garbage containing infected meat or animal products is fed to susceptible animals.
- Susceptible animals are exposed to materials such as hay, feedstuffs, hides, or biologics contaminated with the virus.
- Susceptible animals drink common source contaminated water.
- A susceptible cow is inseminated by semen from an infected bull.

### Signs

Vesicles (blisters) followed by erosions in the mouth or on the feet and the resulting slobbering or lameness are the best known signs of the disease. Often blisters may not be observed because they easily rupture, leading to erosions.

Some of these other signs may appear in affected animals during an FMD outbreak:

- Temperatures rise markedly, then usually fall in about 2 to 3 days.
- Ruptured vesicles discharge either clear or cloudy fluid and leave raw, eroded areas surrounded by ragged fragments of loose tissue.
- Sticky, foamy, stringy saliva is produced.
- Consumption of feed is reduced because of painful tongue and mouth lesions.
- Lameness with reluctance to move is often observed.
- Abortions often occur.
- Milk flow of infected cows drops abruptly.
- Conception rates may be low.
- FMD can lead to myocarditis (inflammation of the muscular walls of the heart) and death, especially in newborn animals.

Animals do not normally regain lost weight for many months. Recovered cows seldom produce milk at their former rates.

### Confusion With Other Diseases

FMD can be confused with several similar, but less harmful, diseases, such as vesicular stomatitis, bluetongue, bovine viral diarrhea, and foot rot in

cattle, vesicular exanthema of swine, and swine vesicular disease. Whenever mouth or feet blisters or other typical signs are observed and reported, laboratory tests must be completed to determine whether the disease causing them is FMD.

### Where FMD Occurs

While the disease is widespread around the world, North America, Central America, Australia, New Zealand, Chile, and some countries in Europe are considered free of FMD. Various types of FMD virus have been identified in Africa, South America, Asia, and part of Europe.

### Prevention and Control

FMD is one of the most difficult animal infections to control. Because the disease occurs in many parts of the world, there is always a chance of its accidental introduction into the United States.

Animals and animal byproducts from areas known to be infected are prohibited entry into this country.

Livestock animals in this country are highly susceptible to FMD viruses. If an outbreak occurred in the United States, this disease could spread rapidly to all sections of the country by routine livestock movements unless it was detected early and eradicated immediately.

If FMD were to spread unchecked, the economic impact could reach billions of dollars in the first year. Deer and wildlife populations could become infected rapidly and could be a source for reinfection of livestock.

### What You Can Do

You can support U.S. efforts against FMD by:

- Watching for slobbering, lameness, and other signs of FMD in your herd; and
- Immediately reporting any unusual or suspicious signs of disease to your veterinarian, to State or Federal animal disease control officials, or to your county agricultural agent.

If FMD should appear in your animals, your report will set in motion an effective State and Federal eradication program.

Your participation is vital. Both the early recognition of disease signs and the prompt notification of veterinary officials are essential if eradication is to be carried out successfully. Your warning may prevent FMD from becoming established in the United States, or, if it does spread, reduce the time and money needed to wipe it out.

### Additional Information

For more information about FMD, contact  
USDA, APHIS, Veterinary Services  
Emergency Programs  
4700 River Road, Unit 41  
Riverdale, MD 20737-1231  
Telephone (301) 734-8073  
Fax (301) 734-7817

The APHIS Emergency Operations Center  
(800) 940-6524  
e-mail: [emoc@aphis.usda.gov](mailto:emoc@aphis.usda.gov)

Current information on animal diseases and suspected outbreaks is also available on the Internet at <http://www.aphis.usda.gov>.

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**Testimony of Larry A. Schuler, DVM  
State Veterinarian and  
Executive Officer of the State Board of Animal Health  
Senate Concurrent Resolution 4051  
Senate and House Agriculture Committee  
April 5, 2001**

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Mr. Chairman and Committee members, my name is Larry Schuler. I am the state veterinarian and executive officer of the State Board of Animal Health. I am here to testify in support of SCR 4051, which deals with preventing the introduction of foot and mouth disease, bovine spongiform encephalopathy and other foreign and emerging animal diseases.

Foot and Mouth disease (FMD) and Bovine Spongiform Encephalopathy (BSE) are very different diseases. FMD is highly contagious and BSE is not. FMD has an incubation period of a few days while BSE has an incubation period of a few years. FMD does not have a human health impact while BSE does. The agent that causes FMD does not survive in the environment for very long, while the agent that causes BSE appears to be almost indestructible. However, both FMD and BSE would have the same impact on American society and our livestock industries. An invasion of either disease into this country would be devastating.

Since BSE is transmitted by feeding meat and bone meal, the ruminant feed ban should be adequate to prevent the disease in the United States. It is important, however, that the ruminant feed ban be followed by producers, renderers and feed manufacturers and that the Food and Drug Administration enforces its requirements. The United States has had an import ban on livestock from BSE affected countries for some time. This has helped to prevent the introduction of other diseases, such as FMD, into the United States.

However, there are other potential pathways for FMD to enter the United States.

Presently, the areas of greatest risk are imported products, parcel post packages and tourists.

The United States Department of Agriculture Animal and Plant Health Inspection Service (USDA APHIS) is working feverishly to plug the holes in our safeguarding system.

They are increasing inspections of imported products. They are increasing the numbers of dog inspection teams and they are following up on passengers that may have been exposed to the FMD virus.

In the last year, every area of the world has been affected by FMD except North America, Australia, and Antarctica. The globalization of the world (ie. increased world travel and increased world trade) has raised the amount of disease risk that we must live with. We can never sit back and say we are safe. We must always be vigilant and on guard to keep our livestock industries and our food supply safe.

Mr. Chairman and committee members, I urge a do pass on SCR4051. I would be happy to answer any questions you may have.