

## Advisor Notes to the Aquatic Livestock Industry

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Review of last issue's topics: Common Market, Commercial Grade Aquatic Livestock Regulations, State Veterinary Authority for Aquatic Livestock commerce, Producer Association, Federal Oversight.

### Development of aquatic livestock commerce plan. Aquatic Livestock Alliance

(Alliance) will promote interstate aquatic livestock commerce in the Region. In the January issue of Advisor Notes, the topic was pushed out on paper about "some interstate body" needing to be put in place to develop common marketing conditions. This edition of the Advisor's Notes might seem to be like backing into the previous discussion but let's take a look at what that commerce plan would include. 1.) Review of State and Federal requirements, 2.) Definition of terms, 3.) Consolidation of applicable regulations regarding interstate aquatic livestock movements, 4.) Minimum regulatory requirements for livestock, 5.) Minimum regulatory requirements for facilities of origin, 6.) Requirements for independent party certification, 7.) Traceability of animals moved, 8.) Standardized health requirements, 9.) Prevention of aquatic invasive species, and 10.) Penalties for violation or non-compliance.

1.) Review of the State and Federal Requirements. This would be a new accomplishment of perhaps historical proportions. At least this author hasn't been able to locate such an accomplishment for aquatic livestock commerce. If some reader is aware of this accomplishment and or something that gives a good situational fit, please bring it to the Advisor's attention. In the mean time, the Alliance's Executive Board could extend an invitation to a Law School to evaluate, *pro bono*, as perhaps a law student project of law review, the current regulatory situation that aquatic livestock commerce faces. Currently, after contacting the Agriculture Law Center at Drake Law School, referral was given to the National Agriculture Law Center (NALC). The NALC has been very active in accurate portrayal of the legal/regulatory situations facing family farms, organic farms, sustainable farming, etc. One thought to keep in mind is that Legal types are probably better before the situation arises than afterwards. The guidance of a law school's expertise in this matter could save the Alliance huge effort in bringing down the walls between States in the Region.

2.) Definitions. A Glossary of terms is needed to establish the Alliance vernacular and language. What does the word "livestock" mean? Is there a statutory definition? What does the term "health certification" mean when used in the Alliance? Some terms were laid out in the Background document prepared for the Forum held in Des Moines, November, 2007. The Alliance needs a dictionary of word and term definition that standardizes philosophy and any policies that might be developed.

3.) Consolidation of regulations for interstate aquatic livestock movements. Homegrown regulations localized in each State have created hurdles and in fact barriers to aquatic livestock producers needing to move animals from one State to another State. Part of the success in commerce on any level is to have standardized requirements and regulations. That brings to reality for everyone the meaning of Fair Trade. It levels the playing field for everyone that is dressed out for the game so to speak. We will need some level of completion of Topic 1.) above to begin sorting through this so-called hodge-podge of regulatory oversight. An accurate and realistic review may reveal several options or scenarios. The first level of consolidation might be, for example, the species or industry segments that are most biosecure or have the highest assurance level, i.e. Closed water systems, isolated populations/facilities, limited marketing, detailed records, and history of healthy livestock are some of the terms that suggest minimal disease risk. Next the requirements for egg and fry or even fingerlings that have not had natural live food that was imported onto the facility. Next and next and next as we build confidence in the level of risk mitigation that the system can accommodate. But, we must begin the journey with a first step. What is worth all of our efforts as a first step of consolidating requirements for aquatic livestock commerce? One step – the first step?

4.) Minimum regulatory requirements for livestock. The Alliance producers can provide leadership in describing what they want to receive when they purchase aquatic livestock. Do unto others what you would have done to you. Most livestock problems are bought and paid for with hard earned money. Livestock are paid for with money or something else of real value but it is not intended to purchase the animals and disease and invasive species. Will the producer section of the Alliance become active in listing what they don't want with purchased livestock?

5.) Minimum regulatory requirements for facilities of origin. This topic may be more about facility operation and procedures. Is there a HACCP in place to maintain the status quo of the farm? The most prominent characteristic of success is good record keeping. This is not synonymous with burdensome records, rather effective records. Generally, records sufficient for IRS purposes are good enough for regulatory purposes. The challenge comes with openly recording activities without unnecessarily disclosing financial status of the activity. Can the Alliance establish a minimum record keeping standard for producers to maintain that would support the claims that the livestock are healthy and free of problems?

6.) Requirements for independent party certification. Certainly, the purchaser of products has an expectation of quality. One universal concept in marketing is to “guarantee” the product or service. This is best accomplished to everyone’s benefit by an independent party. The livestock industries are served in this capacity by the government as related to health or freedom of untoward properties. This is a government responsibility due to International and Constitutional and Congressional actions. In the United States, the USDA has established its livestock certification protocol over a long history of enlisting licensed veterinary practitioners. Veterinarians signing certificates for interstate movement of animals are conducting government business. The US Congress has declared its intent that livestock disease status for interstate livestock movements will be determined through involving Accredited Veterinarians. A court decision in the late 1980’s determined that “health certification” was not the intended term for livestock movements. Following a resolution by the US Animal Health Association many States moved to change the Code from “Health Certificates” to “Certificates of Veterinary Inspection”. Health certificate is a layperson’s description or terminology of a Professional duty. Topic 1.) above would be an excellent avenue to fully disclose what is actually in our various State and Federal Codes pertaining and applicable to aquatic livestock commerce.

7.) Traceability of animals moved. One of the most important talents possessed by Regulators is the ability to gather enough information without being down-right nosy asking for too much information. One of the roles of certification is to establish a baseline of information that will permit the necessary epidemiology to be performed if a disease outbreak does occur in association with the movement of a group of animals. Most State Codes require 6 types of information on imported animals. a) Location of origin, b) animal description and identification, c) how transported, d) location of destination, e.) disease or any other testing requirement results, and, f) certification and endorsement statements with date and duration. Livestock certification as a government duty has serious and even criminal consequences for falsification. None of the State forms reviewed to date have been sufficient to provide an epidemiological trace back if a problem did occur following animal movement. Traceability is one of the cheapest forms of insurance the livestock industry can provide itself to minimize risk and hazards.

8.) Standardized health requirements. Health is the absence of disease. That is what most lay persons in the livestock industry mean when they use the term “health certification”. But as explained earlier, the courts have struck down the concept of certifying animal health because there is no way to prove an absence of something. Something might not be detected but it is not declared absent by the test result. Likewise there are several fallacies in the concept of livestock certification on testing results only. Statistically, there must be sensitivity and specificity determined on a test to permit an accurate sample size determination of the livestock population. These values are not published for any tests in aquatic livestock currently known to this author. In terrestrial animal testing this has not been considered due to the individual testing performed. But in aquatic livestock the only testing recognized in the majority of cases is fatal sampling. Hence, reliance on statistical sampling methods has evolved. As aquatic livestock commerce evolves we will need to define the acceptable risk and set testing levels and standards to meet that defined goal. Disease certification is more than testing and test results from a laboratory. True statistical analysis shows that test results must correlate with clinical examination. Disease prevalence is part of that clinical picture used in certifying livestock disease status. Presently, it is not technically possible in many situations to ascertain when disease prevention goals have been met through testing of aquatic livestock. Both laboratory and clinical parameters will need to be adapted to be successful in risk management.

9.) Prevention of aquatic invasive species. There are many potential invasive species in aquatic livestock production. Various organizations and agencies have described protocols and methods for minimization of this threat. It is quite similar to disease vectors in other livestock industries. Vermin are invasive species in livestock operations. Some bring diseases; some compete with livestock for room or feed. Some can even destroy facilities and function of equipment in the facilities. For farm-raised animals, there is a standard of monitoring,

corrective actions, etc that maintain the farm in its status quo as a livestock production facility and not a facility for producing vermin.

10.) Penalties for violation or non-compliance. If aquatic livestock producers can find a systematic method of moving their animals through interstate commerce, what are the consequences for not following the methods and protocols? How can the industry establish a standard of quality that some so-called “fly-by-night” operation can’t disguise sick animals with? This concern has been addressed by the traditional livestock industries world wide and internationally. As pointed out in the numerous topics above, aquatic livestock commerce doesn’t have to be a re-invention of the wheel sort of effort. It is unique but not totally different. There are ways of getting our wheels underneath the industry and begin moving along with the other commerce entities that trade in livestock.

**“Better to be thought a fool than to type it out and remove all doubt.” ☺ des**