



This document is scheduled to be published in the Federal Register on 01/23/2017 and available online at <https://federalregister.gov/d/2017-01390>, and on [FDsys.gov](http://FDsys.gov)

BILLING CODE: 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2016-0092]

Concurrence with OIE Risk Designations for Bovine Spongiform Encephalopathy

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our preliminary concurrence with the World Organization for Animal Health's (OIE) bovine spongiform encephalopathy (BSE) risk designations for seven regions. The OIE recognizes these regions as being of negligible risk for BSE. We are taking this action based on our review of information supporting the OIE's risk designations for these regions.

DATES: We will consider all comments that we receive on or before [Insert date 60 days after date of publication in the Federal Register].

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0092>.
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS-2016-0092, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0092> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue

SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Roberta Morales, Senior Staff Veterinarian, Regionalization Evaluation Services, National Import Export Services, VS, APHIS, 920 Main Campus Drive, Suite 200, Raleigh, NC 27606; (919) 855-7735.

**SUPPLEMENTARY INFORMATION:**

The regulations in 9 CFR part 92 subpart B, “Importation of Animals and Animal Products; Procedures for Requesting BSE Risk Status Classification With Regard To Bovines” (referred to below as the regulations), set forth the process by which the Animal and Plant Health Inspection Service (APHIS) classifies regions for bovine spongiform encephalopathy (BSE) risk. Section 92.5 of the regulations provides that all countries of the world are considered by APHIS to be in one of three BSE risk categories: Negligible risk, controlled risk, or undetermined risk. These risk categories are defined in § 92.1. Any region that is not classified by APHIS as presenting either negligible risk or controlled risk for BSE is considered to present an undetermined risk. The list of those regions classified by APHIS as having either negligible risk or controlled risk can be accessed on the APHIS Web site at [https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/import-live-animals/ct\\_bovine\\_spongiform\\_encephalopathy](https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/import-live-animals/ct_bovine_spongiform_encephalopathy). The list can also be obtained by writing to APHIS at National Import Export Services, 4700 River Road Unit 38, Riverdale, MD 20737.

Under the regulations, APHIS may classify a region for BSE in one of two ways. One way is for countries that have not received a risk classification from the World Organization for

Animal Health (OIE) to request classification by APHIS. The other way is for APHIS to concur with the classification given to a country by the OIE.

If the OIE has classified a country as either BSE negligible risk or BSE controlled risk, APHIS will seek information to support concurrence with the OIE classification. This information may be publicly available information, or APHIS may request that countries supply the same information given to the OIE. APHIS will announce in the Federal Register, subject to public comment, its intent to concur with an OIE classification.

In accordance with this process, we are giving notice in this document that APHIS intends to concur with the OIE risk classifications of the following countries:

- Regions of negligible risk for BSE: Costa Rica, Germany, Lithuania, Mexico, Namibia, Romania, and Spain.

The OIE recommendations regarding each of the above countries can be viewed at <http://www.oie.int/animal-health-in-the-world/official-disease-status/bse/list-of-bse-risk-status/>.

The conclusions of the OIE scientific commission for these countries can be viewed at:

Costa Rica:

[http://www.oie.int/fileadmin/Home/eng/Internationa\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/Internationa_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 92).

Germany:

[http://www.oie.int/fileadmin/Home/eng/Internationa\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/Internationa_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 93).

Lithuania:

[http://www.oie.int/fileadmin/Home/eng/Internationa\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/Internationa_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 95).

Mexico:

[http://www.oie.int/fileadmin/Home/eng/International\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 96).

Namibia:

[http://www.oie.int/fileadmin/Home/eng/International\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 98).

Romania:

[http://www.oie.int/fileadmin/Home/eng/International\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 101).

Spain:

[http://www.oie.int/fileadmin/Home/eng/International\\_Standard\\_Setting/docs/pdf/SCAD/A\\_SCAD\\_Feb2016.pdf](http://www.oie.int/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/SCAD/A_SCAD_Feb2016.pdf) (page 99).

After reviewing any comments we receive, we will announce our final determination regarding the BSE classification of these countries in the Federal Register, along with a discussion of and response to pertinent issues raised by commenters. If APHIS recognizes a country as either negligible risk or controlled risk for BSE, the Agency will include that country on the list of regions of negligible risk or controlled risk for BSE, as applicable, that is available to the public on the Agency's Web site at [https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/import-live-animals/ct\\_bovine\\_spongiform\\_encephalopathy](https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/import-live-animals/ct_bovine_spongiform_encephalopathy).

Authority: 7 U.S.C. 1622 and 8301-8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 13<sup>th</sup> day of January 2017.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2017-01390 Filed: 1/19/2017 8:45 am; Publication Date: 1/23/2017]