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**RESOLUTION NUMBER: 8**

**Approved as Amended**

**SOURCE: COMMITTEE ON SWINE**

**SUBJECT MATTER: Authorization of Indemnity for Depopulation During a Foreign Animal Disease Outbreak that Involves African Swine Fever**

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**BACKGROUND INFORMATION:**

In 2022, the United States Animal Health Association (USAHA) passed Resolution 22. The request was for adoption of the following policy regarding indemnification prior to an outbreak:

*During an African swine fever (ASF) outbreak, the USDA-APHIS-VS authorization for indemnity to depopulate the first detected case within a state or territory will require confirmation by the USDA-APHIS-VS National Veterinary Services Laboratory (NVSL). The USDA-APHIS-VS authorization for indemnity to depopulate any subsequent cases in a state or territory will not need to be confirmed by USDA-APHIS-VS-NVSL but will require: 1) ASF non-negative or presumptive positive result at an approved National Animal Health Laboratory Network laboratory, and 2) determination of clinical signs compatible for ASF on the affected premises. Detected cases would include feral and domestic swine.*

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) responded with:

*The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) recognizes the concerns of the United States Animal Health Association (USAHA) and appreciates the opportunity to respond.*

*APHIS fully appreciates that policies related to authorization for indemnity in an ASF outbreak are of critical interest to the USAHA Swine Committee and stakeholders. The ASF virus is transmitted to swine only through close contact (not aerosol transmission) and is not zoonotic. Therefore, APHIS and State Animal Health Officials will focus on initial quarantine, site biosecurity, and aggressive contact tracing as the primary measures to contain the outbreak. The authorization for indemnity and subsequent swine depopulation activities will occur after those initial steps.*

*The primary driver of indemnity policies will be the availability of sufficient funds through the duration of such an outbreak. Additional considerations include the regulatory requirement for confirmation, degree of confidence in any National Animal Health Laboratory Network (NAHLN) non-negative ASF diagnostic test result, and application of*

*the APHIS Case Definition for ASF, which provides guidance for evaluating diagnostic test results and swine clinical signs to assign a regulatory status of suspect case, presumptive positive case, or confirmed positive case. Finally, indemnity authorization depends upon the submission of an indemnity request – including all required recordkeeping documents (e.g. mortality sheets, herd inventory logs, etc.) for appraisal.*

*APHIS understands depopulation and disposal of swine on any farm location is going to be difficult to accomplish, and proper planning and resources will be needed to ensure health and safety of the owner, grower, and responders, and animal welfare. APHIS supports additional scenario discussions, exercises and “ASF Playbook” development to better prepare stakeholder in the event of an incursion.*

USAHA appreciates this response. Biocontainment, contact tracing and preventing further spread of ASF are critical in the initial stages of an ASF outbreak.

Indemnity and depopulation of infected sites are just as critical in biocontainment and in preventing the additional spread of ASF in the initial stages of an outbreak.

Testing protocols are another critical element to be identified ahead of an outbreak. Understanding testing as well as confidence in the NAHLN is extremely important.

Recognition and understanding of the processes for indemnity, depopulation and testing ahead of the outbreak are critical to encourage producers to report and to allow for a swift approach to the first infected sites. There is recognition that the case definition may not be as clear as a positive polymerase chain reaction test and clinical signs.

## **RESOLUTION:**

The United States Animal Health Association (USAHA) requests that the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) clarify the indemnification policy prior to an outbreak.

USAHA encourages USDA-APHIS-VS to address the following in the policy:

- 1) USDA’s authority to authorize indemnity based on a National Animal Health Laboratory Network (NAHLN) laboratory sample that meets the USDA case definition for a non-negative for African swine fever (ASF).
- 2) Determine the case definition for an ASF-infected premises and the requirements to authorize indemnity (confirmed vs. presumptive). Risk analysis should be considered.
- 3) The first ASF detection in a state must be confirmed by USDA-APHIS-VS National Veterinary Services Laboratory and subsequent detections may be authorized by a NAHLN non-negative that meets the USDA case definition for confirmation.
- 4) Provide specific eligibility procedures for producer indemnity.

**INTERIM RESPONSE:**

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) recognizes the concerns of the United States Animal Health Association (USAHA) and appreciates the opportunity to respond.

VS recognizes the importance of developing policy in advance of an outbreak and appreciates collaboration with external stakeholders in preparation for a possible incursion of African Swine Fever (ASF) into the United States.

The case definition for African swine fever can be found at:

[https://www.aphis.usda.gov/animal\\_health/monitoring\\_surveillance/asf-case-definition.pdf](https://www.aphis.usda.gov/animal_health/monitoring_surveillance/asf-case-definition.pdf).

The ASF case definition provides the criteria for states and APHIS to apply a regulatory status (suspect, presumptive, confirmed) to ASF investigations.

The provision of indemnity is subject to federal funding availability, and APHIS continues to develop related policies. We will take USAHA's recommendation into consideration. However, as stated in the VS response to this same resolution in 2022, the considerations for ASF indemnity are different from those for highly pathogenic avian influenza (HPAI) and may reflect different confirmation or indemnity approval processes. VS will continue to engage our external stakeholders and consider their input as we develop the ASF response policy.