

October 29, 1992

VETERINARY SERVICES NOTICE

Subject: Ruminant Serum (RS) Import Requirements

To: Directors, VS Regions Area Veterinarians in Charge, VS Directors, PPQ

The purpose of this Notice is to provide detailed information on the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), requirements for the importation of ruminant serum (RS). This Notice replaces the October 11, 1991, Veterinary Services (VS) Notice on Ruminant Serum (RS).

RS is commonly used in tissue culture media. A great deal of the RS used in the United States is imported, and a significant percentage of this imported serum is used for the production of livestock vaccines. Because of the potential livestock disease risks involved, the following USDA, APHIS, restrictions have been imposed on the importation of RS:

1. The importation of RS is prohibited from all countries not recognized by USDA as being free of foot-and-mouth disease (FMD) and bovine spongiform encephalopathy (BSE).
2. RS is not eligible for importation from any country unless it is authorized by a valid USDA permit.
3. RS originating from Canadian or New Zealand animals is exempt from the safety testing or gamma irradiation requirement. RS originating from certain other FMD-free countries may also be exempt from these restrictions, depending on the livestock diseases present in those countries. Applications for the required USDA permit will be reviewed on a case-by-case basis.
4. All RS, with the exception of RS imported legally into Canada, must be imported directly from the country of origin. RS processed or stored in one country, but originating from another, is not eligible for importation.
5. U.S. importers may apply for the required permit by completing a VS Form 16-3, "Application for Permit to Import Controlled Material" and submitting it to the USDA, APHIS, VS, Import-Export Products Staff, Room 756-A, Federal Building, Hyattsville, MD 20782.

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USDA permits will not be issued authorizing ELS imports unless the importer has made previous arrangements with USDA, APHIS, to comply with the restrictions delineated in this Notice. The importer must select one of the following options (except for countries discussed in item 3) designed to minimize the possibility for disease introduction by way of RS: safety testing or gamma irradiation. The ramifications of each option are presented in attachments Nos. 1 and 2, respectively. Each option is also subject to various procedures to be implemented to prevent access to the RS during transport. These procedures are outlined in Attachment No. 3.

These restrictions apply to the importation of all categories of RS, including fetal bovine serum, newborn calf serum, calf serum, adult bovine serum, and goat serum.

/s/

Billy G. Johnson  
Deputy Administrator  
Veterinary Services

Enclosures

OPTION NO. 1 -- SAFETY TESTING

Under this option, samples representative of all lots of imported ruminant serum (RS) would be collected by USDA, APHIS, personnel and submitted to the USDA, APHIS, National Veterinary Services Laboratories (NVSL), for laboratory testing. The specific tests performed would depend upon the country of origin. For example, RS from Mexico and Central America would be tested for exotic strains of bluetongue virus; Australian RS would be tested for Akabane and exotic bluetongue virus; Each safety test for RS involves the inoculation of a sheep.

All costs for laboratory testing must be paid for in advance by the U.S. importer under terms specified in a cooperative agreement. The cost for conducting one safety test is approximately \$500-600 for serum which originates in countries that are not recognized as being free of exotic strains of bluetongue and/or Akabane by USDA. Note that APHIS has dropped the requirement for fetal serum to be tested for bovine ephemeral fever because we have determined that this virus does not cross the placental barrier.

A VS representative will collect samples at random, secure samples in accordance with tamper-proof packaging requirements listed in Addendum No. 1, and turn the samples over to the importer for courier delivery to the USDA, APHIS, NVSL, 13th and Dayton Road, Ames, IA 50010. Sample size is to be 500 ml for each 0-500 liters in the shipment (this equals 1 safety test).

Serological tests will be performed on sheep prior to inoculation and 28 days after inoculation. The length of time required for performance of the safety test is approximately 5 weeks from the date the animals are inoculated. All imported RS must remain under USDA quarantine at the USDA, APHIS-approved facility (provided by the importer or processor) until such time as the importer receives official notification that test results were negative. Should laboratory tests be positive, the consignment of imported RS must either be destroyed at the importer's expense or returned to the country of origin. In order to become a USDA, APHIS-approved facility to receive imported RS using the safety testing option, officials operating the facility must enter into a valid compliance agreement with USDA, APHIS. A copy of this compliance agreement is included in this notice as Addendum No. 2. If the quarantine storage during the safety testing is to be done at a facility already approved for this purpose, a written memo must be submitted from the USDA-approved facility stating that the imported serum will be handled according to the previously executed compliance agreement and the applicable permit restrictions will be followed.

Before USDA permits can be issued authorizing the importation of RS using the safety test option, the importing firm must also enter into a cooperative agreement with USDA, APHIS, and deposit the necessary funds to cover the costs for testing. The amount of the deposit to be requested will be based on (1) the number of countries from which serum will be imported and (2) the anticipated volume and frequency of shipments from each country.

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This amount will be calculated for the life of the permit (1 year), divided into quarterly installments. Note that additional funds will be requested to replenish this account periodically since the laboratory is unable to perform tests unless money is available in the account to cover tests being performed. A copy of the required cooperative agreement is included in this Notice as Addendum No. 3. Records of the imported serum shall be kept for a minimum of 2 years and will include the origin, dates of importation, and disposition. A report of these records must be submitted to the Import-Export Products Staff every 6 months.

OPTION NO. 2 -- GAMMA IRRADIATION

Under this option, all shipments of RS would need to be subjected to 3 megarads of gamma irradiation at a USDA, APHIS-approved irradiation facility in the United States.

In order for a U.S. irradiation facility to become approved by USDA, APHIS, for the purpose of irradiating imported RS, it is necessary for the facility to be inspected by a USDA, APHIS, representative. If the representative believes that the facility has adequate storage, sterilization, and recordkeeping capabilities, officials from the irradiation facility will be provided with a compliance agreement. (See Addendum No. 4.)

In order to maintain approval, operators of the irradiation facility need to fully comply with all restrictions in the agreement and renew the agreement, with reinspection, on an annual basis.

Shipments of irradiated RS may be released to the U.S. importer after the entire shipment has received the required minimum treatment of 3 megarads. Both the irradiation facility and the U.S. importer are required to keep on file, for a minimum of 2 years, copies of irradiation certificates and to make these certificates available to APHIS inspectors during routine inspections.

**PROCEDURES FOR MONITORING TRANSPORT OF RUMINANT SERUM (RS) IMPORTED UNDER USDA PERMIT WITH REQUIREMENT FOR EITHER IRRADIATION OR SAFETY TESTING**

If the U.S. importer has selected either the option of irradiation or safety testing, the USDA permit authorizing the importation will indicate which option has been selected. Regardless of which option has been selected, the following procedures are to be implemented to prevent access to the RS during transport:

1. APHIS port personnel shall carefully review all permit restrictions and make certain that all incoming shipping documents that might be required by the permit reference the appropriate permit number.
2. The permit will stipulate the address where the consignment is to be delivered. In the case where irradiation has been selected, the consignment must be delivered directly to the irradiation facility noted on the permit and may not be delivered directly to the importer. In the case where safety testing has been selected, the consignment should be released for delivery only to the address(es) specified on the USDA permit. In either case, a VS Form 16-78 shall be completed at the port of arrival and copies distributed to the Area Veterinarian in Charge (AVIC) in the State of destination. USDA seals shall also be applied to prevent unauthorized access from the port of arrival to the destinations specified on the permit. Seal numbers shall be recorded on VS Form 16-78. No exceptions for temporary storage shall be authorized unless the permit authorizes temporary holding at a USDA, APHIS approved intermediate holding facility.

Shipments of RS generally arrive by air; however, RS from Mexico frequently arrives at the U.S. port by truck. In either case, seals must be applied to prevent unauthorized access. If the RS is part of a mixed consignment aboard a freight truck, it would not be practical to seal the truck door. In these cases, the importer shall arrange for the shipping boxes to have lids designed so that they can be sealed to the box with USDA seals. If the U.S. importer or his authorized agent wants to recharge the shipping containers with dry ice, recharging must be done under the direct supervision of APHIS personnel.

When the shipment arrives at the destination(s) specified on the permit, a representative designated by USDA from the firm (manager of quality assurance or equivalent) will record the date of arrival and the USDA seal numbers affixed to the box (or seal number on truck door). The U.S. importer (or representative from the irradiation facility in the case where the consignment arrives at an irradiation facility) shall notify the AVIC in the State where the product is received on the day the product arrives or the next weekday following its arrival in the case where a product arrives on a weekend or holiday.

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Both APHIS-approved irradiation facilities and APHIS-approved facilities that import RS with the option of safety testing are required to isolate the untreated/untested product until such time as it has either received the required level of irradiation or until notification that laboratory test results were negative. During this quarantine period, there shall be no unauthorized access to the imported material. Quarantined material shall be held in an area clearly demarcated with a sign stating "Restricted Material Under Quarantine by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service. Distribution of Product Prohibited."

USDA, APHIS, field personnel assigned to the area where restricted RS is being received shall periodically monitor the product to ensure that the importer or irradiation facility is complying with all restrictions delineated in the compliance agreements (See Addendum No. 2 or No. 4.)

### TAMPER-PROOFING OF SAMPLES

Tamper-proofing involves placing samples in cartons and subsequently sealing the cartons so they cannot be opened or the contents disturbed without it being obvious to NVSL upon receipt.

Samples are to be packaged to withstand leakage of contents, shocks, pressure changes, and other conditions incident to ordinary handling in transportation. Special care should be taken to prevent breakage of glass containers. All vials, glass or plastic, should be packed in nested cartons or packed by some other method commonly used when shipping samples to distributors or consumers.

Remember that leakage of liquid from a carton may mean refusal by a common carrier to handle it, and damaged shipments may be destroyed by NVSL personnel upon receipt.

Place initials or signatures across tape around nesting cartons and across tapes and surface of shipping cartons. Inked stamps are unacceptable.

Return tamper-proof shipping cartons to the U.S. importer. The importer is responsible for actual shipment of sample to NVSL. The correct address for samples sent by overnight courier is: USDA, APHIS, NVSL, 13th and Dayton Road, Ames, IA 50010. Samples should be sent early in the workweek. Never send samples the day before a Government holiday or on Fridays.

NVSL will maintain a list of the names of current samplers and their addresses and telephone numbers, along with the name of the establishment where they pick up samples and specimens of the signatures and initials they used to tamper-proof cartons. Area Veterinarians in Charge should submit to the Director, NVSL, any additions, deletions, or changes to the roster of samplers. Make sure the letter shows the correct name, address, and establishment assignments of the samplers and a specimen of their signature and initials.

COMPLIANCE AGREEMENT BETWEEN  
(NAME AND ADDRESS OF U.S. IMPORTER OF RESTRICTED RS)  
AND UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE VETERINARY SERVICES

This is to certify that \_\_\_\_\_ will  
(Name and address of U.S. importer of RS)

1. Receive and store restricted, imported ruminant serum (RS) only in the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS)-approved facility located at \_\_\_\_\_.

2. Notify the USDA, APHIS, Area Veterinarian In Charge (AVIC) [in the State where USDA, APHIS-approved facility is located], each day a shipment of imported serum arrives at the facility. If the arrival date is a weekend or holiday, the importer agrees to notify the AVIC on the first business day after the material is received. The importer shall inform the AVIC of the following:

- a. USDA permit number authorizing the importation,
- b. Country of origin,
- c. Quantity of material that has arrived in the consignment,
- d. USDA seal number utilized to seal containers (or to seal truck door),
- e. Date when USDA, APHIS, representative should be available to collect samples for submission to the USDA, National Veterinary Services Laboratories, for safety testing.

3. Store all imported RS being held, pending negative laboratory test results, separate from nonrestricted RS and clearly mark the restricted product with a sign stating "Restricted Material Under Quarantine by the U. S. Department of Agriculture, Animal and Plant Health Inspection Service. Distribution of Product Prohibited."

4. Maintain a complete inventory of all restricted RS, including such information as the date of importation, date of filtration, quantity of containers, amount of serum per container, and lot numbers by country of origin. This inventory log shall be up to date and made available to USDA, APHIS, personnel during routine inspections. Inventory records, along with official certificates of origin for each imported shipment of RS, shall be kept on file at the importer's establishment for a minimum of 2 years. Every 6 months, a report shall be submitted that includes the origin, volume, and importation date to the Import Export Products Staff.

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5. If imported material is filtered and rebottled by the importer prior to the collection of samples for safety testing, records must indicate the date of filtration (i.e., the production date) and the lot numbers utilized for the material pooled for processing.
6. Maintain labels on all bottles of imported, restricted RS (regardless of whether it remains in original containers in which material was imported or filtered and placed in retail-sized bottles for distribution) to allow for complete traceability of product to the country of origin. If new lot numbers are assigned following pooling, filtration, and final bottling, records must be kept that clearly show which imported lots were utilized for the final production lot.
7. Implement procedures to ensure that no product is distributed until authorized by USDA, APHIS. Authorization will be granted upon receipt of written laboratory confirmation that samples from the lot(s) in quarantine were negative for exotic viruses of concern.
8. If the restricted RS has positive test results for exotic viruses, importer agrees to either having the product destroyed under USDA, APHIS, supervision or returning the product to the country of origin under monitoring by USDA. All costs for destruction or reexport of the product shall be borne by the U.S. importer.
9. Allow USDA, APHIS, inspectors to make unannounced inspections (during regular business hours) to monitor compliance with this agreement and to provide USDA, APHIS, inspectors with the records and certificates described in this Notice. If the USDA, APHIS, inspector determines that (name and address of importer of RS) has failed to comply with this agreement, approval from USDA, APHIS, will be\* canceled and permits authorizing the importer to import RS will be revoked. Any appeals for cancellation must be directed to the Deputy Administrator, Veterinary Services, APHIS, USDA, within 10 days after receiving written notification of the cancellation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature Owner/Operator

\_\_\_\_\_  
Signature USDA, APHIS, VS, Area Veterinarian in Charge

COOPERATIVE SERVICE AGREEMENT  
BETWEEN  
(Name of U.S. Importer of Restricted RS)  
AND  
UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)

ARTICLE 1

The purpose of this Agreement is to provide safety testing of ruminant serum (RS) imported by [name and address of importer] from [country] to assure that the (ruminant serum) is free from exotic bluetongue and/or Akabane virus(es). The safety testing will be performed at the USDA, National Veterinary Services Laboratories (NVSL), Ames, Iowa.

ARTICLE 2

a. Make an initial deposit (estimated first installment, see attached budget outline) upon execution of this Agreement with the United States Treasury, through USDA, to be expended in accordance with the USDA's regulations, to cover the expenses incurred by APHIS for testing performed by USDA personnel, including administrative expenses incidental to carrying out this Agreement. If the initial deposit is not sufficient to defray the workload costs under this Agreement, a further sum as determined by APHIS must be deposited prior to completing the work.

b. Obtain from the government of the country of origin any permits or, licenses required for exportation of the biological material to the United States.

ARTICLE 3

APHIS agrees to:

a. Provide laboratory testing of RS for exotic animal viruses including in vitro and in vivo procedures.

b. Provide [name of importer] with an accounting of funds expended in performing services as outlined in this Agreement. Any unobligated balance upon termination of this Agreement shall be returned to [name of importer].

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ARTICLE 4

Nothing in this Agreement shall prevent any other country, organization, or individual from entering into separate agreements with APHIS for the purpose of laboratory testing of RS.

ARTICLE 5

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit that may arise therefrom.

ARTICLE 6

All activities performed under this Agreement will be conducted in accordance with APHIS requirements and with applicable Federal, State, or local laws and regulations.

ARTICLE 7

This Agreement shall become effective upon date of final signature and shall continue indefinitely. This Agreement may be amended at any time by mutual agreement of the parties in writing. It may be terminated by either party upon 60 days written notice to the other party. In the event that [name of importer] does not for any reason deposit necessary funds, APHIS is relieved of the obligation to continue any operations under this Agreement.

(NAME AND ADDRESS OF COMPANY OR INDIVIDUAL REQUESTING SAFETY TESTING)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(SIGNATURE OF IMPORTER OR REPRESENTATIVE)

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator

COMPLIANCE AGREEMENT  
BETWEEN  
(NAME AND ADDRESS OF U.S. IRRADIATION FACILITY)  
AND  
UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
VETERINARY SERVICES

This is to certify that \_\_\_\_\_ will:  
(Name and address of irradiation facility)

1. Receive and store restricted, imported ruminant serum (RS) only in the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS)-approved facility located at \_\_\_\_\_.
2. Notify the USDA, APHIS, Area Veterinarian in Charge (AVIC) (in the State where the USDA, APHIS-approved irradiation facility is located), each day a shipment of imported RS arrives at the facility. If the arrival date is a weekend or holiday, the irradiation facility agrees to notify the AVIC on the first business day after the material is received. An official from the irradiation facility shall inform the AVIC of the following:
  - a. USDA permit number authorizing the importation,
  - b. Country of origin,
  - c. Quantity of material that has arrived in the consignment,
  - d. USDA seal number utilized to seal containers (or to seal truck door).
  - e. Date when product has been scheduled for irradiation treatment.
3. Store all imported RS awaiting irradiation on the nonsterile side of the plant until it has been sent through the sterilizer.
4. Insert a radiochromic dye film in each lot of RS entering the sterilizer. The dosimeter shall be placed in the low-dose zone to ensure all products receive at least 3 megarads.
5. Not release the irradiated product to the U.S. importer until the film has been examined and a certificate has been issued certifying that the lot of RS has received a minimum treatment of 3 megarads of gamma irradiation.
6. Maintain certificates of irradiation for imported RS on file at the irradiation facility for a minimum of 2 years and make available to USDA, APHIS, inspectors such certificates during routine inspections.

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7. Allow USDA, APHIS, inspectors to make unannounced inspections (during regular business hours) to monitor compliance with this agreement and to provide USDA, APHIS, inspectors with the records and certificates described in this notice. If the USDA, APHIS, inspector determines that

\_\_\_\_\_  
(Name and address of irradiation facility)

has failed to comply with this agreement, approval from USDA, APHIS, to receive and store restricted, imported FBS will be canceled. Any appeals for cancellation must be directed to the Deputy Administrator, Veterinary Services, APHIS, USDA, within 10 days after receiving written notification of the cancellation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
Owner/Operator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
USDA, APHIS, VS, Area Veterinarian in Charge