



1931 N. Meacham Rd.
Suite 100
Schaumburg, IL
60173-4360
phone 847.925.8070
800.248.2862
fax 847.925.1329
www.avma.org

January 20, 2009

Michael David, MS, VMD, MPH
Director
USDA-APHIS-VS
Sanitary International Standards Team
Riverdale, MD

Dear Dr. David:

The AVMA appreciates the opportunity to provide comments on the documents resulting from the October 2008 meeting of the OIE's Terrestrial Animal Health Standards Commission. We have reviewed the proposed changes to existing chapters and the new chapters and we are providing comments on the following documents:

**DRAFT GUIDELINES ON DOG POPULATION CONTROL;
GLOSSARY; AND
THE DETECTION, CONTROL AND PREVENTION OF NON-TYPHOID
SALMONELLA IN CHICKENS.**

We are also providing comments on the **RESOLUTION** emerging from the 2nd OIE Global Conference on Animal Welfare.

As requested, our responses are formulated for each section of the documents as recommended revised language, followed by rationale/comments where appropriate. When language revision is suggested, recommended deletions are ~~struck through~~, recommended additions are underlined.

You will note that many similar comments were submitted in response to the request for comments on the **DRAFT GUIDELINES ON DOG POPULATION CONTROL** emerging from the March 2007 meeting; they are being resubmitted because the underlying concerns still have not been addressed.

Should you have questions or require additional information regarding our comments below, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Lyle P. Vogel".

Lyle P. Vogel, DVM, MPH, DACVPM
Assistant Executive Vice President

LPV/GCG

GLOSSARY

Recommended revision:

Risk assessment

means the evaluation of the likelihood ~~and~~ ~~or~~ ~~and~~ the biological and economic consequences of entry, establishment and spread of a *hazard* within the territory of an *importing country*.

Rationale: Because the OIE, dictionaries and risk assessment experts define risk as “...likelihood of the occurrence **and** the likely magnitude of the consequences ...,” risk assessment should not be redefined as the alternative of evaluating likelihood **or** consequences. Risk assessment must include both evaluations to avoid institution of severe risk management measures that are based on only one criterion, impact or probability of occurrence.

THE DETECTION, CONTROL AND PREVENTION OF NON-TYPHOID *SALMONELLA* IN CHICKENS

Recommended revision:

Introduction

Salmonella serotypes may vary considerably ~~between~~ between localities, districts, regions and countries.

Rationale: Editorial correction.

Recommended revision:

Article X.X.5.

Control measures

5. As far as vaccination is concerned, many vaccines are used against *Salmonella infections* caused by different serovars ~~serotypes~~ ~~in various poultry chicken species~~, including single or combined vaccines against *S. Enteritidis* and *S. Typhimurium*.

Rationale: “in various chicken species” is not needed for understanding and is probably inaccurate because there are not various species of chickens.

Recommended revision:

Article X.X.5.

Control measures

7. As far as the veterinary involvement is concerned, the responsible veterinarian should monitor the results of *surveillance* testing for *Salmonella* spp. This information should be available to the veterinarian before marketing if a certificate for flock *Salmonella* status is required prior to ~~in order to certify the flock for~~ ~~the flock for~~ *slaughter*.

Rationale: Editorial correction. “the flock for” should be deleted.

DRAFT GUIDELINES ON DOG POPULATION CONTROL

General comment: Much of the scope of this document appears to fall outside the purview of the OIE. This document primarily addresses control of dog populations within countries, whereas the OIE's recognized and accepted focus is international affairs and trade.

Preamble

Recommended revision:

Whilst acknowledging human health is a priority, including prevention of zoonotic diseases, notably rabies, the OIE recognizes the importance of controlling dog populations without causing unnecessary or avoidable animal suffering.

Rationale: Editorial correction.

Guiding Principles

Recommended revisions:

The following guidelines are based on those laid down in Chapter 7.1 of the *Terrestrial Animal Health Code* (the *Terrestrial Code*). Some additional principles are relevant to these guidelines:

- ~~The promotion of~~ Responsible dog ownership can significantly reduce the numbers of stray dogs and the incidence of zoonotic diseases.
- Because dog ecology is linked with human activities, control of dog populations has to be accompanied by changes in human behaviour to be effective.

Rationale: In bullet 1, the act of responsible ownership, not its promotion, is what can impact the population of stray dogs. The remainder are editorial revisions.

Article 1: Definitions

Stray dog:

Recommended revisions:

Stray Dog: A dog that is not under direct control and that is not prevented from free-roaming.

Types of stray dogs

- a) ~~free-roaming~~, owned dog not under direct control or restriction at a particular time;
- b) ~~free-roaming~~ dog with no owner;
- c) feral dog: domestic dog that reverted to the wild state and no longer ~~directly dependent upon humans for successful reproduction~~ purposely bred by humans.

Rationale: "Under direct control" needs to be more explicitly described. This could refer to physical restraints or attachments, such as kennels, cages, fences, or leashes, or could be construed to include voice commands. Although "direct" could be construed to imply the presence of an owner, confinement in kennels, cages, by fence, or by a tether system does not require this. Dogs responsive to voice commands may be considered by some to lack "direct control," but also may not be free-roaming and, hence, not "stray." The meaning of "wild state" in the bullet on "feral dogs" is not clear, and dogs are never directly dependent on humans for reproduction, rather their reproduction is managed by humans. This might better be described as "no longer purposely bred by humans." An alternative to the change suggested above might be "the successful reproduction of which is no longer managed by humans." Additional editorial revisions to the definition are suggested.

Owned dog:

Recommended revisions:

Owned Dog: ~~Means~~ A dog with for which a person ~~that is~~ responsible for this animal.

Rationale: Editorial suggestions provided.

Person:

Comment: Communal ownership exists in some countries (i.e., the dogs are “owned” and cared for by communities. Is that situation adequately addressed by this definition?

Responsible dog ownership

Recommended revisions:

Means the situation whereby a person (as defined above) accepts and commits to perform various duties ~~according to the legislation in place and focused on the~~ to satisfaction of the psychological, environmental and physical needs of a dog ~~(or other pet)~~ and to ~~the prevention of~~ risks ~~(e.g., aggression, disease transmission, or causing bite injuries)~~ that the dog may pose to the community, other animals or the environment.

Rationale: Whereas some aspects of responsible ownership may lend themselves to legislative remedy (e.g., requirements for vaccinations, identification, appropriate food/water/shelter [anti-cruelty statutes]), other components of responsible care are much more difficult to legislate and enforce (e.g., training, enrichment requirements). Statutes may assist in correcting irresponsible owners, but legislation itself is not a characteristic of responsible dog ownership.

Article 2: Dog population control programme objectives

Recommended revisions:

The objectives of a programme to control the dog population may include the following:

1. improve health and welfare of owned and stray dog populations;
2. reduce numbers of stray dogs to an acceptable level;
3. promote responsible ownership;
4. assist in the creation and maintenance of a rabies-immune or rabies-free dog population;
5. reduce the risk of zoonotic diseases other than rabies;
6. manage other risks to human health (e.g., parasites);
7. prevent harm to the environment and other animals;
8. prevent illegal trade and trafficking.

Rationale: Editorial changes (punctuation).

Article 3: Responsibilities and competencies

2. Other government agencies

Recommended revision:

For example, environmental protection agencies may regulate and enforce measures to prevent dogs ~~(and other wild animals)~~ from accessing waste or human sewage.

Rationale: Other wild animals are beyond the scope of this document so we recommend deleting this language.

4. Nongovernmental organizations (NGOs)

Recommended revisions:

NGOs can supply local knowledge on dog populations and features of ownership, as well as expertise in handling and kennelling dogs and the implementation of sterilisation programmes. NGOs can also contribute, together with veterinarians and the authorities, in educating the public in responsible dog ownership.

Rationale: Editorial corrections.

Article 4:

1. Identifying the sources of stray dogs

Recommended revisions:

- a) Owned ~~animals~~ dogs that roam freely;
- b) Dogs that have been abandoned by their owner, including puppies resulting from uncontrolled breeding of owned dogs;
- c) Unowned dogs that reproduce successfully.

Rationale: Editorial changes, including changing a nonspecific reference to “animals” to the more applicable “dogs.”

2. Estimating the existing number, distribution and ecology

Recommended revisions:

Practical tools that are available include registers of dogs, population estimates, and surveys of dogs, owners, dog shelters, and ~~associated~~ veterinarians.

~~A Various methodologies could can be established used to make an estimate of the total dog population, an overview of appropriate methodologies may be found in (see Annex 1). The same methodology could be used at appropriate intervals to assess population trends.~~

Rationale: We assume the intent of the first sentence of this section is to refer to surveys of dogs, owners, dog shelters and veterinarians and have made clarifying editorial revisions accordingly. The suffix “ology” means “the study of,” therefore we believe use of “method” is correct.

3. ~~Legislation~~ Regulatory framework

Recommended revisions:

~~Legislation~~ A regulatory framework that would help authorities ~~to establishing~~ successful dog control programmes could include the following key elements:

- a) registration and identification of dogs and licensing of dog breeders;
- b) vaccination against rabies and other preventive measures against zoonotic disease, as appropriate;
- c) veterinary procedures (e.g., surgical procedures);
- d) control of dog movement (national and international);
- e) control of dangerous dogs;
- f) regulations on the breeding and sale of dogs;
- g) environmental controls (e.g., *abattoirs*, rubbish dumps, dead stock facilities);
- h) regulations for dog shelters;
- i) animal welfare obligations of owners and authorities.

Rationale: We suggest the use of “regulatory framework,” rather than “legislation,” because although the legislative process is one path to establishing legal requirements, it is not the only approach. As USDA staff is well aware, regulatory processes authorized by statutory authority can also provide this kind of support. We understand that the OIE’s use of this term may not always be consistent with how it is used in Member Countries. Editorial suggestions are also provided.

Article 5: Control measures

1. Education and legislation for responsible ownership

Recommended revisions:

- a) the importance of proper selection and care to ensure the welfare of the dog and any offspring; ~~this the latter~~ may include preparing the dog to cope with its environment through attention to socialization and training;

Rationale: We believe education regarding appropriate dog selection (e.g., any breed predispositions, adult size and related housing restrictions) is critical to reducing abandonment and relinquishment to shelters. Mention of this important contributor is lacking in the draft guideline and we believe it should be included. Editorial suggestions are also provided. We have not addressed the use of “legislation” in this section, but whether this is an appropriate descriptor should also be considered (see previous comments regarding a regulatory framework).

2. Registration and identification of dogs (licensing)

Recommended revision:

Registration and identification may be emphasized as part of responsible dog ownership and are often linked to animal health programs, for example, mandatory rabies vaccination and a dog traceability.

Rationale: Editorial suggestion.

3. Reproductive control

Recommended revisions:

Controlling reproduction in dogs prevents the birth of unwanted litters of puppies and can help address the balance between demand for dogs and the size of the population. It is advisable to focus efforts to control reproduction on those individuals or groups in the dog population identified as the most productive and the most likely to be the sources of unwanted and stray dogs, to ensure best use of resources. Methods of controlling reproduction will require direct veterinary input ~~to regarding individual animals;~~ involvement of both private and public veterinary sectors may be required to meet demand for services. The control of reproduction is essentially the responsibility of owners and can be incorporated into education on responsible ownership (section 5a). Methods for controlling reproduction in dogs include:

- a) surgical sterilisation
- b) chemical sterilisation
- c) chemical contraception
- d) separation of female dogs during oestrus from unsterilised males.

Surgical sterilisation should be carried out by a veterinarian and include appropriate anaesthesia and pain relief.

Any chemicals or drugs used in controlling reproduction should be shown to have appropriate safety, quality and efficacy for the function required and be used according to the manufacturers' and *Competent Authority's* regulations. In the case of chemical sterilants and contraceptives, research and field trials may need to be completed before use.

Comment/rationale: Although provisions for control of reproduction have consistently been included as necessary components of a regulatory framework throughout the document, the verbiage in this section, “The control of reproduction is essentially the responsibility of owners...,” seems to suggest that decisions regarding control of reproduction rest with owners (i.e., mandatory programs and programs that encourage sterilization through reduced registration/licensing fees would appear to not be supported by this comment). This apparent conflict in recommendations needs to be resolved. Editorial suggestions are also provided.

4.2. Removal and handling

Recommended revisions:

Capture, transport, and holding of the ~~animals~~ dogs should be done humanely.

Rationale: We recommend that “animals” be replaced with “dogs” as elsewhere in the document.

53. Management of captured stray dogs

Recommended revisions:

Prior to adoption dogs should be sterilized.

Dogs that are removed from a community may be too numerous or may be unsuitable for any rehoming scheme.

Rationale: Editorial suggestions.

64. Environmental controls

Recommended revisions:

This should be linked to a reduction in the ~~animal~~ dog population by other methods to avoid animal welfare problems.

Rationale: Again, “animals” should be replaced by “dogs” because this is the species addressed by this document.

8. Control of dog movements—within country (e.g., leash laws, roaming restrictions)

Recommended revisions:

It is necessary to have empowering legislation ~~to give the necessary power is necessary~~ and a national or local infrastructure comprising organization, administration, staff and resources to encourage the finders of a stray dog to report to the *Competent Authority*.

Comment/rationale: Please see previous comment regarding whether the scope of this document (i.e., national, state/territory, local) falls outside the mandate of the OIE. Suggested revisions are editorial.

10. Reduction in dog bite incidence

Comment: The information and recommendations contained within this section pertain to prevention of dog bite injuries and are not specific to dog population control. Although we recognize the seriousness of this problem and are highly supportive of effective solutions, we also believe the subject matter extends beyond the intended scope of the guideline. We therefore recommend that this section be deleted, in its entirety, from the document.

k) Euthanasia

Recommended chart revisions and comments/rationale:

Potassium chloride—AVMA guidelines indicate that when potassium chloride is administered to anesthetized animals (and potassium chloride should only be used for euthanasia in anesthetized animals), it may be given intravenously or intracardially. The chart should therefore be amended to read: “Only use on anesthetized animals, IV or IC injection.”

Penetrating captive bolt followed by pithing where necessary—We disagree there is “no” risk to the operator other than zoonotic concerns in rabies-positive dogs with the use of this method. Although risk of injury is less than with a free bullet, there still is the potential for operator injury if the captive bolt pistol is used incorrectly. The chart should therefore be amended to read: “Low ~~No~~ risk ~~to~~ of operator injury (cf free bullet) unless risk of dog infected with rabies...”

Inert gas (nitrogen, nitrogen/argon combinations, argon)—AVMA guidelines indicate that this technique is conditionally acceptable only if oxygen concentrations < 2% are achieved rapidly and animals are heavily sedated or anesthetized. The chart should therefore be amended to read: “Concentrations above 98% must be achieved rapidly and maintained. Dogs should be heavily sedated or anesthetized. With heavy sedation or anesthesia, it should be recognized that death may be delayed. Properly designed equipment must be used.”

Electrocution—Several important cautions for this method of euthanasia are missing from the guidelines. For example, the guidelines do not indicate that electrocution is not appropriate to use on dangerous, intractable animals or that techniques that apply electric current from head to tail, head to foot, or head to moistened metal plates on which the animal is standing are unacceptable. In addition, there is no mention that electrocution may not result in death in small animals < 5 kg, because ventricular fibrillation and circulatory collapse do not always persist after cessation of current flow. We therefore suggest the following revisions to the chart. Under “animal welfare concerns/implications,” we recommend the addition of “Electrocution may not result in death in small animals < 5kg, because ventricular fibrillation and circulatory collapse do not always persist after cessation of current flow.” Under “key animal welfare requirements,” we recommend the addition of “Electrocution is not appropriate to use on dangerous or intractable animals” and “Techniques that apply electric current from head to tail, head to foot, or head to moistened metal plates on which the animal is standing are unacceptable.”

Article 6: Monitoring and evaluation of dog population control programmes

Comment: The last sentence of the second paragraph of this section provides as an example of an indirect measure the “number of reported dog bites as a reflection of rabies prevalence.” In fact, the number of reported dog bites may or may not be related to prevalence of rabies, because dogs may bite for many reasons, illness being only one of these. We recommend the *ad hoc* group identify another, more appropriate, example of an indirect measure. In addition, “methodology” appears to continue to be used inappropriately throughout this section, as well as in Annex 1. As alluded to previously, “methodology,” as the study of methods, includes the following concepts: a collection of theories, concepts or ideas; a comparative study of difference approaches; and critique of each of those approaches. We recommend replacing “methodology” with “method” where specific approaches are described.

RESOLUTION EMERGING FROM THE 2ND OIE GLOBAL CONFERENCE ON ANIMAL WELFARE

General comment: We note a subtle, but important, language difference between references in this resolution to “standards” and previous characterizations of OIE animal welfare recommendations as “guidelines.” This language change appears to complement the movement of OIE recommendations on animal welfare from “appendices” in the *Terrestrial Code* to “chapters.” The intentional and unintentional consequences of these changes are not clear (i.e., is this in anticipation of efforts to incorporate animal welfare as a component of the SPS Agreement?), nor are we aware of efforts to ascertain whether OIE Member Countries are comfortable with such changes. We suggest that USDA seek clarification on these points.

Under “Considering that...” sixth bullet:

Recommended revision: “it is of concern that some private and public standards for animal welfare are not consistent with the OIE standards.”

Rationale: The OIE standards were established with the intent that these would be minimally acceptable standards for the care of animals used for human purposes. What constitutes appropriate care for animals should not be affected by whether standards are set by private or public entities and expectations for compliance by each sector should be equivalent. In addition, it is difficult for us to support a statement that private standards are inadequate without more information about what and how a particular standard does not meet OIE recommendations (e.g., no verifiable data to support this statement have been provided). Furthermore this bullet,

as currently written, seems inconsistent with information in the following bullet that suggests support for cooperative efforts between government and the private sector. Cooperative projects may include development of animal welfare assurance programs within the private sector (e.g., industry, nongovernmental organizations) that support governmental efforts or that serve to protect animal welfare when governmental infrastructure is not available to do so.

Under “Considering that...” twelfth bullet:

Comment: Many individuals reviewing this resolution may not be familiar with “twinning programmes”; we believe this term needs to be defined or better described.

Under “Our members are requested to” first bullet:

Recommended revisions: “create or update, where necessary, legislation that prevents cruelty to animals, as well as legislation and/or private sector programs having independent assurance processes that ~~establishes a legal basis for complying~~ ensure compliance with OIE standards for animal health, safety...”

Rationale: Good animal welfare can be effectively assured through implementation of programs in both the private and public sectors, not only through legislative or regulatory efforts. Depending on the size of the industries (e.g., number and size of facilities) and the financial and personnel resources available from Veterinary Services, it may not be realistic to expect governmental oversight of all facilities. Private assurance processes may provide a means of filling gaps.

Under “Our members are requested to” second bullet:

Recommended revisions: “...Education programmes should be directed to key players, particularly to veterinarians, animal ~~livestock~~ owners and ~~animal~~ handlers, NGOs and other key target ~~audience~~ categories, ~~such as women and children~~.”

Rationale: OIE guidance for animal well being already extends beyond livestock/food animals (e.g., research, stray dogs); therefore, we believe the statement should be edited to the more general ‘animal owners and handlers.’ We also are in support of a reference to the more general ‘key target audiences’ as compared with ‘such as women and children,’ given that (to our knowledge) the OIE has not presented compelling data to suggest that women and children are among the demographics representing the most risk.

Under “Our members are requested to” fourth bullet:

Comment: The meaning of ‘animal welfare national focal points’ is not clear. Are these individuals, geographic areas, or something else? We believe these need to be better described if the resolution is to be implemented.

Under “Our members are requested to” fifth bullet:

Recommended revisions: “encourage the private and public sectors to respect OIE standards and not to adopt ~~private~~ standards that are in conflict with the OIE standards, ~~particularly for the importation of animal products from developing countries~~.”

Rationale: As indicated earlier, whether standards are developed in the public or private sector is independent of what constitutes good animal care, and the expectations for each sector should be equivalent. Similarly, how animals are cared for should not depend on whether they are imported, exported, or used in the country of origin.

Under “The OIE is requested to” first bullet:

Recommended revisions: “...including through the provision of tools relevant to 1) assuring compliance of standards with OIE guidance~~veterinary legislation~~ 2) veterinary education on animal welfare...”

Rationale: The language as written does not provide flexibility for OIE to support development of standards and assurance processes within the private sector that comply with OIE guidance.

Under “The OIE is requested to” third bullet:

Recommended revision: “work closely with donors, national and international organizations that have a commitment to animal welfare...”

Rationale: We believe some developing nations may have organizations within their borders that may be able (and perhaps more appropriate and welcome) to assist those nations in implementing standards consistent with OIE guidance.

Under “The OIE is requested to” sixth bullet:

Recommended revisions: “collaborate and form partnerships with organizations representing all relevant sectors of the production and distribution chains for animals and animal products to develop and promote the OIE animal welfare standards, ~~as the key reference for national, regional, and international trade~~ and to urge the private sector to adopt ~~private~~ standards for animal welfare that are consistent with the OIE standards.

Rationale: This statement encouraging promotion of OIE animal welfare standards as the key reference for regional and international trade seems presumptive, given that animal welfare assurance is not currently included in the SPS agreement. We therefore suggest related commentary be deleted from this bullet. In addition, OIE standards are intended to apply to interactions between countries and not to activities within countries. References to “national” thereby seem inappropriate. Finally, whether standards adopted by the private sector are derived from private or public efforts is irrelevant; the concern should be congruence with OIE standards, not their origin.

Under “The OIE is requested to” eighth bullet:

Comment: As previously indicated, many reviewing the resolution may not be familiar with the phrase “twinning programmes.” Further explanation is needed.

Under “The OIE is requested to” ninth bullet:

Recommended revision: “continue to work on the standard setting priorities established by the OIE International Committee ~~as well as the priorities for standard setting on humane methods for controlling stray dog populations[†] and free ranging cats and wild invasive species.~~”

Rationale: Species to be addressed in the OIE work plan for animal welfare include companion animals and wildlife, in addition to laboratory animals and those used for food production. It therefore seems unnecessary to include specific references to stray dog populations, feral cats, and invasive species.