

limit is 40 percent in this estimate. The need for the triangular estimate is understood, but the biological possibility of 100 percent is not accounted for.

5c. *Response.* Despite a 40 percent upper limit suggested by EC officials, we performed a sensitivity analysis on this upper limit, and also ran simulations with an upper limit of 100 percent, although that analysis was not reported in the original risk analysis. Using a 40 percent upper limit, the expected frequency of incursion was one or more in every 33,670 years. Using a 100 percent upper limit, the expected frequency of incursion was one or more in every 26,000 years, a 1.3-fold change. We included the results of these additional sensitivity analyses in our revised risk analysis.

Swine Semen Collection Centers

In § 98.38 of our proposed rule, we set forth conditions for the importation of swine semen from the multicountry area of the EU we were proposing to consider as one region. These conditions included origin requirements for the donor boar, requirements for isolation and testing prior to the boar's entry into the semen collection center, transportation requirements, and requirements for holding and observing the boar at the semen collection center for at least 40 days following collection of the semen. One commenter requested that an additional condition be included, *i.e.*, to require that the donor boar be serologically tested while at the semen collection center. The commenter stated that observation alone might not detect very subtle clinical signs of CSF infection.

We are making no changes based on this comment. All boars must be tested for CSF with negative results before entering the semen collection center. We do not consider it necessary to require additional testing at the center to ensure that the donor boar is not infected with CSF. Additionally, if an infected animal were held for at least 40 days at a collection center, it is very likely that the other animals being held at the center would provide a "sentinel effect"—that is, other animals exposed to the infected animal would likely show clinical signs of the disease while the infected animal was being held at the center. In developing our risk analysis, we created a scenario of maximum risk by not taking into account any sentinel effect. In actuality, it is likely that such an effect would provide a safeguard that an infected animal would be detected.

EU Trading Partners

One commenter said it was not clear from the proposal if importation from the EU region would be dependent on the United States considering countries that export animals and animal products into the EU region as free of CSF, or if the United States would accept the EU designation of its trading partners' CSF status.

Our consideration of whether to allow the importation of animals and animal products from a region in the EU was based on a number of factors. One of the factors we considered was that the exportation of swine into the EU from countries outside the EU is allowed under certain conditions if the animals are accompanied by a declaration that the countries are free of CSF, or if the animals were tested with negative results for CSF. Such movement controls are based on the status of countries outside the EU as recognized by the EU. Additionally, we considered the EU's ability to rapidly detect and eliminate any outbreaks of CSF that might occur within the EU. In our proposal, we discussed the surveillance for CSF that is carried out in the EU and the measures that would be taken to control and eradicate the disease in the event of an outbreak. After assessing these and other factors (as discussed in our proposed rule), we concluded that the conditions we proposed for importing breeding swine, swine semen, and pork and pork products into the United States from the EU would mitigate the risk of introducing CSF into this country.

CSF Outbreaks in France, Spain, Luxembourg, and Germany After June 1999

Following publication of our June 1999 proposed rule, there were CSF outbreaks in domestic swine in parts of the EU, including France, Luxembourg, Spain, and Germany. Following those outbreaks, each of the affected countries took action to eradicate CSF. At this time, we are developing an updated evaluation of the CSF situation in France, Luxembourg, and Spain, and defining the jurisdictional level we could recognize as a region within those countries. We will publish a notice in the **Federal Register** when the updated evaluation is ready for public review and will accept comment on the evaluation for a specified period of time. Following review of any comments we receive, we will determine whether it is appropriate to consider: (1) France, Luxembourg, and Spain (or an appropriate combination of the three) as countries in which CSF does not exist

or (2) appropriate jurisdictional units of France and/or Spain as regions in which CSF does not exist. If such a determination is made, we will publish a final rule to that effect in the **Federal Register**.

Additionally, we anticipate developing a similar updated evaluation for those kreis in Germany that had CSF outbreaks after being included in the June 1999 proposed rule, for discussion in a separate notice in the **Federal Register**. Those areas of Germany are as follows: Kreis Heinsberg in the Land of Northrhine-Westphalia; Kreis Oldenburg in the Land of Lower Saxony; Kreis Uckermark in the Land of Brandenburg; Kreis Bernkastel-Wittlich in the Land of Rhineland Palatinate; Kreis Soltau-Fallingbommel in the Land of Lower Saxony; Kreis Rhein-Hunsruche in the Land of Rhineland-Palatinate; Kreis Bitburg-Prüm in the Land of Rhineland Palatinate; Kreis Trier-Saarburg and Kreis Südliche Weinstrasse in the Land of Rhineland Palatinate; and Kreis Donnersbergkreis in the Land of Rhineland Palatinate.

CSF Outbreak in Spain

One commenter expressed concern regarding the site visit report that APHIS completed prior to development of the proposed rule. The commenter noted that the site visit report indicated that no information was available at the time of its drafting regarding the source of an outbreak of CSF in the Province of Segovia in Spain. The commenter requested that any information that was subsequently obtained be made available to the public.

All information that has been made available to us by Spain is posted to the APHIS Internet website.¹ At this time, the source of the outbreak in Segovia has not been determined. However, the current epidemiological situation is being actively monitored in view of the recent outbreaks, and we are not relieving restrictions on imports from Spain at this time.

Movement of Swine Within Germany

One commenter stated that the site visit report noted that if CSF occurs in a district (kreis) in Germany, under EU standards, swine may not be exported to another country from anywhere in the State (Land) in which the district is located. However, districts in the State

¹ The Internet address for accessing the information is <http://www.aphis.usda.gov/vs/ncie/reg-request.html>. At the bottom of that website page, click on "Information previously submitted by Regions requesting export approval and their supporting documentation." At the next screen, click on the triangle beside "European Union/Not Specified/Classical Swine Fever," then on the triangle beside "Information Supporting Request."