

**Swine Health Protection Act**

**Annual Summary Report**

**Fiscal Year 2023**

**October 1, 2022 – September 30, 2023**

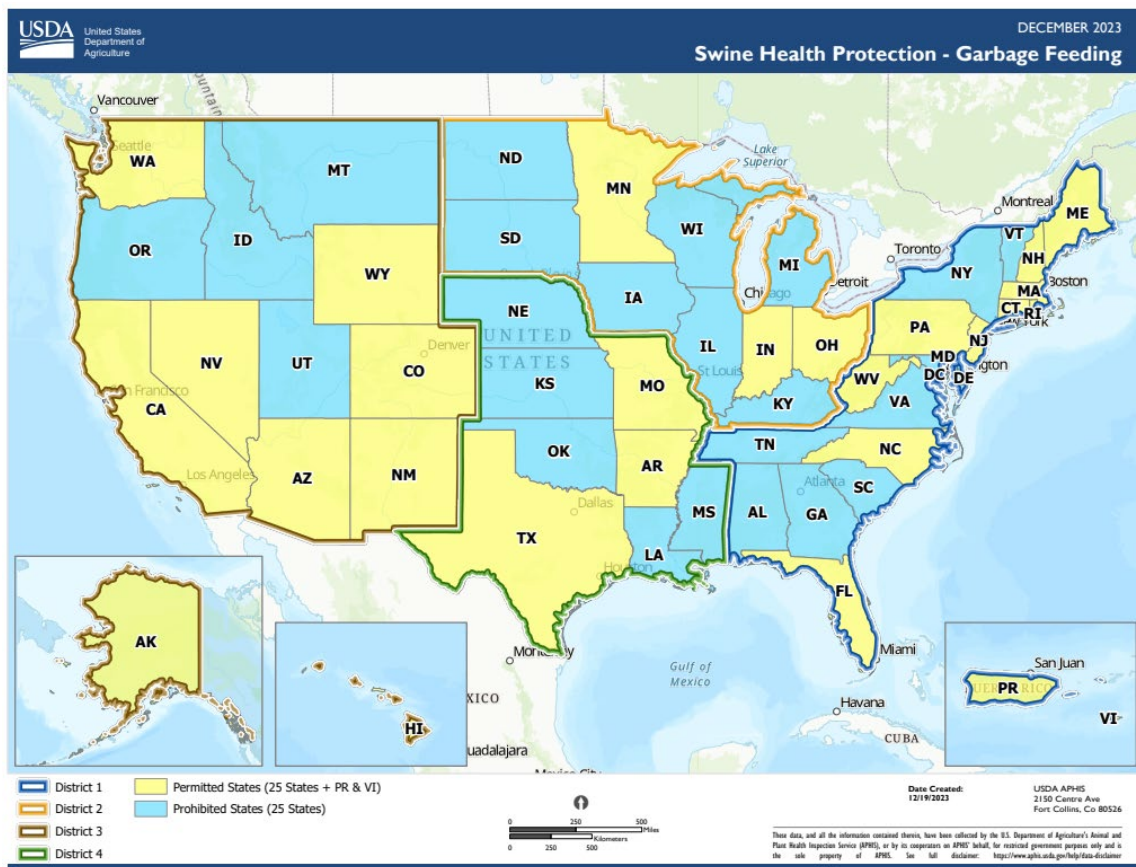


## Background

The **Swine Health Protection Act** (SHPA) serves to protect the commerce, health, and welfare of the people of the United States by ensuring that food waste fed to swine does not contain active disease organisms that pose a risk to domestic swine. *The Code of Federal Regulations*, title 9, [part 166](#) (9 CFR 166) regulates how food waste containing any meat products is fed to swine. Compliance with these regulations ensures that all food waste fed to swine is properly treated to kill disease organisms. Raw or undercooked meat may transmit numerous infectious or communicable diseases to swine, including exotic viral diseases such as foot-and-mouth disease, African swine fever, classical swine fever, and swine vesicular disease.

Veterinary Services (VS) Guidance 7408.1 provides direction on the procedures and responsibilities associated with administering the Swine Health Protection Act. State and Federal agencies independently or cooperatively monitor and report on SHPA activities each month in the Emergency Management Reporting System (EMRS). The USDA-Swine Health Team (SwHT) produces a quarterly report for stakeholders and an annual internal report for VS staff. These reports provide a snapshot of regulatory activities in both permitted and prohibited States<sup>1</sup> (Figure 1). The VS Area Veterinarian in Charge maintains a clear understanding of the Enforcement Responsibility status for states within their district; this status designation is part of the required monthly reporting in the EMRS2 VS 13-2 tool. This report reflects those activities.

Figure 1. Enforcement Responsibility Statuses within VS Field Operations Districts.



<sup>1</sup> Minnesota and Texas both offer two separate classes of licenses, one for feeding human food waste associated with meat, and one for feeding human food waste not associated with meat.

## **Fiscal Year (FY) 2023 Overview**

In the following sections summarizing FY 2023,

- Data reflect EMRS 13-2 submissions from active premises from 10/1/2022 to 9/30/2023.
- Reporting from 428/~600 licensed premises in permitted States.
- Reporting from 17/26 States that permit garbage feeding.
  - Eight States that allow garbage feeding have no licensed producers.
- Reporting from 20/24 States that prohibit garbage feeding.

The information below summarizes the outcomes, discusses challenges and achievements, and provides a look ahead to FY 2024.

### **Measurable outcomes for the States, plus Puerto Rico and the Virgin Islands, that permit garbage feeding**

#### Searches

9 CFR [166](#) requires States that permit garbage feeding to swine conduct searches for illegal garbage feeding. Garbage searches identify producers who intentionally or unknowingly feed garbage to swine. These searches also provide outreach and educational opportunities about the risks of feeding uncooked or undercooked garbage to swine. All swine producers who wish to feed garbage as defined by the SHPA must be licensed. In FY 23, animal health officials conducted 1,910 searches in permitted states and identified 35 non-licensed producers. In comparison, in FY 22, animal health officials conducted 1,915 searches in permitted States and identified 40 non-licensed producers. In States that permit garbage feeding, unlicensed producers who intentionally or unknowingly feed garbage to swine identified through search activities are provided an opportunity to either apply for a license or discontinue garbage feeding practices.

#### Pre-Licensing Inspections

VS or state personnel complete pre-licensing inspections on premises requesting a license. When the facility is approved, a program premises status is changed to licensed garbage feeder. In FY 23, VS or state personnel completed 27 pre-licensing inspections and issued 51 new licenses. Most of these new licenses were issued in District 1. In comparison, VS or State personnel issued 40 new licenses in FY 22. Differences in the ratio of pre-licensing inspections and new licenses issued may reflect issuance of licenses with pre-licensing inspections in FY 22.

#### Routine Inspections

VS Guidance 7408.1 requires that each licensed garbage feeder must undergo a routine inspection at least once a quarter, or four times a year. In addition, at least every six months, or twice a year, inspectors must verify compliance with cooking regulations using either direct fire or steam injection methods, referred to as temperature checks, if currently feeding garbage. In FY 23, VS or State personnel completed 2,101 routine inspections that were associated with 674 total temperature checks. In comparison, in FY 22, VS or State personnel completed 2,427 routine inspections that were associated with 704 total temperature checks.

#### Abnormal Occurrence of Disease and Initiation of a Foreign Animal Disease (FAD) Investigation

Six inspections in permitted States were associated with the reporting of an abnormal occurrence of disease and initiation of a FAD investigation. This further supports the value of the SHPA inspections in mitigating the risks associated with garbage feeding of swine in providing additional outreach and public awareness of reportable swine diseases.

## Violations

VS considers a licensed garbage feeder in violation of the SHPA or equivalent State requirements if they do not correct deficiencies observed during an inspection within an assigned re-inspection window. In FY 23, VS or State personnel noted 17 alleged violations by producers in permitted States. Sixteen of those individuals were able to make the required corrections without the case being referred to APHIS Investigative and Enforcement Services (IES) or to a State enforcement agency. One resulted in a violation forwarded to IES or to a State enforcement agency for investigation in the reporting month.

## **Measurable Outcomes for the states that prohibit garbage feeding**

VS Guidance 7408.1 requires the 24 States that prohibit garbage feeding to swine to still conduct searches for illegal garbage feeding. Garbage searches identify producers who intentionally or unknowingly feed garbage to swine. These searches also provide outreach and educational opportunities about the risks of feeding uncooked or undercooked garbage to swine. In FY 23, VS and State personnel conducted 2,999 total searches in prohibited States and found 15 illegal garbage feeders. In comparison, VS and State personnel conducted 3,757 searches in FY22 resulting in 1 non-licensed producer found.

## **Summary**

In closing, FY23 reporting suggests that field activities are effectively meeting the objectives of the Swine Health Protection Act. Searches in both permitted and prohibited states have identified either un-licensed or illegal garbage feeders respectively. In addition, reporting suggests that routine inspections are effective in verifying compliance with current regulations, and that passive surveillance efforts help recognize and report abnormal occurrence of disease in swine raised on garbage feeding premises.

## **FY23 Challenges**

Highly Pathogenic Avian Influenza (HPAI) represented the greatest challenge to SHPA enforcement activities in FY23. From January 2022 to June 27, 2023, animal health staff and field personnel were responding to multiple outbreaks of HPAI across the country, prioritizing field activities in response to emergency outbreak management.

## **FY23 Achievements**

Despite the HPAI outbreak, VS was able to provide several outreach opportunities for stakeholders in FY 23 including:

- Webinar on usage of the Environmental Protection Agency Excess Food Opportunities Map tool to support and facilitate SHPA duties in the field.
- Virtual Swine Health Protection Act workshop for stakeholders.
- Created a new more user-friendly Power BI approach to summarize EMRS reporting data for quarterly and annual reporting.
- Surveyed Field Operations staff to update Swine Health Protection Act data recording and Primary Enforcement Responsibilities in EMRS.
- Updated map of Swine Health Protection Act regulatory activities (Figure 1).

## **FY24 Looking Forward**

VS expects to continue our outreach efforts by providing updated guidance documents, job aids, and training for State and Federal field staff.