

From: [Jack C Rhyan](mailto:Jack.C.Rhyan@aphis.usda.gov)
To: [Matt McCollum](mailto:Matt.McCollum@aphis.usda.gov); [Pauline Nol](mailto:Pauline.Nol@aphis.usda.gov)
Subject: FW: Select agent information
Date: Tuesday, May 10, 2011 4:56:00 PM

-----Original Message-----

From: Rick_Wallen@nps.gov [mailto:Rick_Wallen@nps.gov]
Sent: Tuesday, May 10, 2011 4:22 PM
To: Rhyan, Jack C (APHIS)
Cc: Clarke, Ryan P. (APHIS); Jenny_Powers@nps.gov; Margaret_Wild@nps.gov; Frey, Rebecca K (APHIS)
Subject: Fw: Select agent information

Jack, I have deleted the many emails with the whole group of folks in this conversation so please pass along to Pauline and Matt.

Below is the note I received back from Ms. Barrow in CDC regarding how to interpret the overlap select agents regulations. I suspect the two individuals she included on cc are supervisors and also good contacts for further clarification on the interpretation of "naturally occurring environment".

Good discussion today. RW

----- Forwarded by Rick Wallen/YELL/NPS on 05/10/2011 03:11 PM -----

"Barrow, Yvonne
(CDC/OPHPR/DSAT)"
<iic8@cdc.gov> To
<rick_wallen@nps.gov>
05/06/2011 03:36 cc
PM "Harris, Lazenya (CDC/OPHPR/DSAT)"
<cw3@CDC.GOV>, "Miller, Yoon
(CDC/OPHPR/DSAT)" <eeu9@CDC.GOV>
Subject
Select agent information

Good afternoon,

Per our earlier conversation I have spoken with my supervisor and I could not find the e-mail that contained the actual guidance. I will try to locate that information for you as soon as possible. However, I did find a citation in our regulations that may help you. The select agent and toxin citation is 42 CFR 73.4(d)1:

(d) Overlap select agents or toxins that meet any of the following criteria are excluded from the requirements of this part:

(1) Any overlap select agent or toxin that is in its naturally occurring environment provided that the select agent or toxin has not been intentionally introduced, cultivated, collected, or otherwise extracted from its natural source.

This basically means as long as the select agent is in its naturally occurring environment (the bison) it is not considered a select agent. I hope this helps. Again I will try to look for the official e-mail that went out to our entities in regards to your question. If you need any other help please let me know.

Thanks,

Yvonne

Yvonne Barrow, M.S.
Microbiologist

Division of Select Agents and Toxins

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"To be the preeminent resource for the safety and security of biological agents and toxins."

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