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**MEAT IMPORTERS COUNCIL OF AMERICA, INC.**

1901 NORTH FORT MEYER DRIVE • ARLINGTON, VIRGINIA 22209  
(703) 522-1910 • FAX (703) 524-6039 • E-mail: micausa@aol.com

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May 4, 2004

FSIS Docket Clerk  
Docket 03-025IF  
Room 102  
Cotton Annex  
300 12th and C Street, SW.  
Washington, DC 20250-3700

**Re: Docket No. 03-025IF**

This submission is provided on behalf of the Meat Importers Council of America, Inc. ("MICA") pursuant to the soliciting of comments on the Prohibition of the Use of Specified Risk Materials for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle published in the Federal Register on January 12, 2004, Volume 69, Number 7, Page 1861-1874, Docket Number 03-025IF.

MICA is an incorporated trade association, which represents the U.S. industry that imports fresh, chilled and frozen beef into the United States. MICA's regular members are importers who account for most of the non-NAFTA imports of this product. MICA's membership also includes organizations such as port authorities, refrigerated warehouses, customhouse brokers, etc. in the United States, who provide services in connection with this imported product, as well as users of the same.

MICA wishes to record our strong objection to the application of this regulation to meat imported from countries that are internationally recognized as BSE free, particularly Argentina, Australia, Brazil, New Zealand, Nicaragua, and Uruguay.

The European Union Scientific Steering Committee's (SSC) Geographical Risk of BSE (GBR) has assessed the risk of BSE in each of these countries as follows; "that it is highly unlikely that domestic cattle are (clinically or pre-clinically) infected with the BSE agent".

The SSC has a four stage criteria for assessment of BSE risk from GBR I for countries considered “highly unlikely” to have BSE, GBR II “Unlikely but not excluded”, GBR III “Likely but not confirmed or confirmed at a lower level”, and GBR IV where BSE infectivity is “confirmed at a higher level”. The World Organization for Animal Health (OIE) sets the rules and guidelines for international trade in animal products. The OIE’s BSE animal health code chapter also does not require the removal of SRMs for “BSE free” or “BSE provisionally free” countries.

The application of this regulation to countries assessed as having a favorable BSE status is without scientific merit and cannot be justified. To do so simply undermines the credibility of the US in arguing that decisions relating to BSE controls applicable to the international beef trade be based on science, when the US is itself not making regulatory decisions based on science.

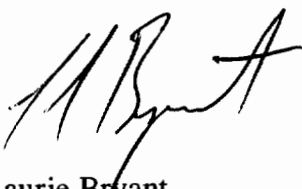
The US is the only country in the world to require BSE free countries to identify brain and spinal chord as a specified risk material. For example, both Canada and Japan have provided derogations to BSE free countries from the requirements of their BSE regulations.

It is our view that the US must amend the regulation to exclude application to countries that have been categorized with favorable BSE status in accordance with international BSE standards.

We are concerned about the time that may elapse before a final rule is published and the resulting continuation of the unjustified application of the Interim Final Rule to BSE free countries. To avoid this delay we urge FSIS to issue an amended interim final rule that excludes application of the rule to product originating in BSE-free countries.

Thank you for the opportunity to provide comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'L. Bryant', written in a cursive style.

Laurie Bryant  
Executive Director  
Meat Importers Council of America, Inc.