



# APPMA<sup>®</sup>

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American Pet Products Manufacturers Association, Inc.<sup>®</sup>

February 4, 2003

Docket Management Branch  
Animal Feed Rule Hearing  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, MD, 20852

**Re: Docket 02N-0273: Animal Proteins Prohibited in Ruminant Feed**

Dear Sir or Madam:

The American Pet Products Manufacturers Association, Inc. (APPMA) is a trade association representing approximately 650 pet product manufacturers. Close to 40% of our members are small manufacturers, i.e., with gross annual sales of less than \$500,000 nationally. We represent many larger manufacturers as well, with national distribution. Our industry employs more than 250,000 individuals in the manufacturing, distribution and marketing of pet products, many of which include manufacturers who make pet food, widely considered to be the single most important product for the health and welfare of companion animals. A national survey of pet owners conducted by APPMA shows that there are as many as 265 million pets in the United States and that 61% of American households have at least one pet. Be they furry, feathered or finned, Americans love their pets.

We appreciate this opportunity to provide comments relating to the Advance Notice of Proposed Rulemaking (ANPR) for Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed. Specifically, we would like to limit our comments to the questions posed in the ANPR regarding the use of pet food in ruminant feed. This comment letter will address the following questions posed by the FDA. 1) Should pet food for retail sale be labeled with the statement "Do not feed to cattle or other ruminants?" and 2) What would be the adverse and positive impacts (economic, environmental, health, etc.) of such a labeling requirement?"

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As was indicated by results of the Harvard Study commissioned by the US Department of Agriculture and completed last year, the firewalls already in place as part of the current FDA ruminant feed rule, are working to assure that the introduction and spread of BSE in the US is prevented. We believe that the proposed labeling requirement placed on pet food sold at the retail level will have a negative impact on the health and well being of companion animals, as well as, a negative economic impact to the approximately 12.5 billion dollar pet food industry.

Mammalian protein is an essential source of nutrition needed for a complete and balanced diet for many companion animals. It is used by a significant number of pet food manufacturers in their formulations.

Consumers must feel confident that they can continue to serve their precious pets, well-balanced food. If pet food was labeled "not for use in ruminants" many consumers would be confused and skeptical about the nature of what they are feeding their pets. Many consumers do not know what ruminants are, and will not understand why there is a specific label warning against feeding to ruminants. Consumers may wrongly conclude that it is a common practice to feed ruminants pet food. The proposed label could raise more questions among consumers than answers. This confusion could lead consumers to feed their pets inappropriate formulations. The Pet Food Institute, a trade association of pet food manufacturers, recently conducted a poll of pet food buyers asking about their reactions to such a statement on labels. The poll indicated that a significant number of consumers would be confused by such a label and therefore concerned about the safety of the product. In fact, 17% of those responding indicated that if such a label existed, they might discontinue feeding their pets pet food.

The FDA and the American Association of Feed Control Officials (AAFCO) have recognized the clear health benefits of feeding companion animals complete and balanced pet food, rather than home prepared foods or table scraps. To discourage feeding pets, pet food, through confusing labeling would seriously impact the health of our companion animal population.

Moreover, we believe that the feeding of pet foods to ruminants from retail packages is extremely uncommon. Pet foods are generally sold in smaller packages and at higher prices than ruminant feed, and therefore it is unlikely to be used to feed cattle. The rule providing that salvaged or distressed pet food must include the label stating, "Do not feed to ruminants" is sufficient to warn those handling the product not to feed it to cattle. In addition to the label on distressed and salvaged pet food, the Pet Food Institute has done a commendable job of

education by explaining the requirements for salvaged and distressed pet foods in a pamphlet that it has widely distributed to its members, various associations, including APPMA, and generally to those individuals in the feed industry. Through the efforts of the FDA, as well as the various feed associations, we believe that there is a high level of knowledge among those feeding ruminants that pet food is inappropriate to be fed to those animals.

The potential economic impact of a labeling change could be quite severe to pet food manufacturers as well as ingredient suppliers. If 17% of the pet food purchasers declined to buy pet food because of a lack of understanding of the label, as the Pet Food Institute's survey indicates, that would result in a minimum reduction in pet food sales of approximately \$2 billion dollars annually. Moreover, one in five consumers polled said the cautionary statements made them concerned about beef and lamb products for human consumption.

It is our belief that the existing labeling requirements are sufficient to assure that pet food will not be fed to ruminants. We believe that no regulatory change is necessary at this time because the basic scientific assumptions that led to the promulgation of the 1997 animal feeding regulations has not changed. Until there is scientific evidence to support a change in the law, education and rigorous enforcement are the optimal tools to prevent the introduction of BSE into this country. It is clear that FDA's educational campaign, as well as, inspections have been successful as demonstrated by a compliance rate that is nearly 100%, as well as, the findings of the Harvard Study. The rule is working. It is apparent that the FDA's efforts of continued compliance, rigorous enforcement and education, that the current firewalls are sufficient to protect the US cattle population from the introduction of BSE.

Thank you for this opportunity to express our comments.

Sincerely yours,



Gina Valeri

Director of Legislative Affairs and General Counsel