



Canadian Food Inspection Agency / Agence canadienne d'inspection des aliments

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February 5, 2003

Dockets Management
Branch (HFA-305), Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

Dear Dockets Management:

**RE: SUBSTANCES PROHIBITED FROM USE IN ANIMAL FOOD OF FEED:
ANIMAL PROTEINS PROHIBITED IN RUMINANT FEED**

On behalf of the Canadian Food Inspection Agency (CFIA), please accept the following as our comments with respect to the Advanced Notice of proposed rule making (Docket #02N-0273) published in the Federal Register on November 4, 2002. In Canada, the CFIA is responsible for administering regulations banning the feeding of certain animal proteins to ruminants under the authority of the federal *Health of Animals Act*.

1. Excluding Brain and Spinal Cord from Rendered Animal Products

Canada recently completed its own self-assessment for BSE risk and has concluded that it is extremely low. Given this assessment and that no BSE cases have been detected in native-born cattle to date, such a measure would seem to be unnecessary at the present time. Effective enforcement of the already-established feeding ban regulations remains an important precautionary measure in preventing the spread of BSE should it ever go undetected in an animal.

•How feasible would it be for the rendering industry to implement such an exclusion?

No comments.

•What will be the adverse and positive impacts (economic, environmental, health, etc.) resulting from a brain and spinal cord exclusion?

No comments.

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- **Use of Poultry Litter In Cattle Feed**

- How extensive is the use of poultry litter in cattle feed in the United States?
- What is the level of feed spillage in poultry litter?
- What are the methods used to process poultry litter before inclusion in animal feed?
- What will be the adverse and positive impacts (economic, environmental, health, etc.) resulting from banning poultry litter in ruminant feed?

No comments on any of the above questions. At the time Canada implemented its feeding ban regulations in 1997, it was not legal to manufacture feeds containing either raw or unprocessed poultry litter for any livestock due to other regulatory controls. This situation is the same at present and no changes are envisioned in the immediate future.

- **Use of Pet Food In Ruminant Feed**

- Should pet food for retail sale be labeled with the statement “Do not feed to cattle or other ruminants.”?

Canada’s feeding ban regulations do not apply to the manufacture and labelling of pet foods. It is the CFIA’s stance that as pet food is not an approved ingredient on it’s own in Schedule IV of the federal Feeds Regulations, it is therefore not to be used in livestock feeds. This approach is consistent with our requirements for all feed ingredients as is witnessed by the multitude of food, beverage and other processing industry waste products approved and listed in the schedule for use by feed manufacturers at present.

Pet foods are not subject to the feed ban regulations in Canada and the requirements to keep records, label products with warning statements etc. Changes to this situation are not envisioned at this time. However, we also have concerns about the potential of “prohibited material” getting into ruminant feeds via pet food usage in livestock feeds. Given this particular concern, we have added questions to our commercial feed mill and on-farm inspection forms to identify and respond to situations where the use of pet foods as feeds for livestock is occurring in Canada.

- What would be the adverse and positive impacts (economic, environmental, health, etc.) of such a labeling requirement?

No comments.

- **Preventing Cross-Contamination**

- Are there practical ways, other than dedicated facilities, for firms to demonstrate that the level of carry-over could not transmit BSE to cattle or other ruminants? If so, what is the safe level of carry-over in a feed mill.

Without reliable tests that would allow for the monitoring of ruminant feeds for the presence of prohibited proteins, it has been and continues to be difficult to gauge the effectiveness of measures employed by feed manufacturers to minimize carryover. Perhaps greater consideration should be given to developing markers that could be more easily detected as indicators of the effectiveness of contamination prevention measures.

The CFIA has recently compiled statistics for compliance by feed manufacturers with the feeding ban regulations and trends towards dedication of facilities to ruminant/non-ruminant feed production and use of only non-prohibited animal proteins in all feeds have been observed. Concerns regarding their ability to constantly comply and liability associated with manufacturing errors may be responsible for these trends within the feed manufacturing sector.

- What is the scientific rationale used to establish this safe level?

The Canadian Food Inspection Agency has not developed a scientific rationale to establish any "safe" levels.

- What steps are firms currently taking to prevent cross-contamination of prohibited protein into ruminant feed, and what are the costs of those steps?

From inspections of facilities being conducted by the Canadian Food Inspection Agency, feed manufacturers in Canada are using several strategies at the present time: dedicating facilities to the manufacture of ruminant or non-ruminant feeds only; using sources of only non-prohibited proteins in feeds for all species; flushing processing lines following the use of prohibited proteins; and, sequencing feed production in order to carryover prohibited proteins into other lots of non-ruminant feeds.

- **Elimination of the Plate Waste Exemption**

- To what extent is plate waste used in ruminant feed?
- What is the composition of plate waste, and what are its sources?
- How is plate waste processed before inclusion in ruminant feed?
- What would be the adverse and positive impacts (economic, environmental, health, etc.) from excluding plate waste from ruminant feed?

No comments to any of the above questions. At the time Canada implemented its feeding ban regulations in 1997, plate waste was viewed as a potential (albeit minor) pathway for transmitting BSE to cattle. As a result, it has been the policy of the Canadian Food Inspection Agency to consider plate waste as "prohibited material", regardless of the source, and has applied this policy consistently since 1997.

Yours sincerely,

A handwritten signature in black ink that reads "Dr. Brian Evans". The signature is written in a cursive style with a large initial "D" and "B".

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