

# North Dakota Farmers Union

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February 3, 2003

Dockets Management Branch  
Food and Drug Administration  
5630 Fishers Lane  
Room 1061  
Rockville, MD 20852

**RE: Docket No. 02N-0273:** Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed; Advanced Notice of Proposed Rulemaking

Dear Sir/Madam:

As the largest general farm organization in the state of North Dakota, Farmers Union would like to comment on the rule listed above. We support the current animal feeding regulations restricting the use of specified animal proteins based on mammalian tissues for ruminant feed use, and oppose the proposed regulatory changes.

The existing rule is based on sound science, and is appropriate given the low BSE risk in the United States. According to FDA, compliance with the BSE feed rule (21 C.F.R. §589.2000) has been excellent. BSE prevention involves multiple programs, including a ban on the importation of cattle and beef products from countries with BSE; a surveillance program; and feeding restrictions to prevent the amplification and spread if there is a BSE occurrence. The current rule is an important part of this prevention system.

Neither current science nor the current excellent compliance rate supports an expansion of the rule at this time. The rule should be reviewed periodically to identify new risks or highlight new scientific development.

Our livestock producers are satisfied with the existing rules and see no reason for additional regulations that would hinder their disposal of downed animals.

We urge the FDA to continue educating the regulated industries, providing active surveillance, assuring compliance, taking action against violators, and supporting state inspection programs. Our nation's risk is not zero, nor can it ever be, but our risk is as low as it was since BSE was first recognized as a threat to U.S. cattle. The goal should be 100 percent compliance, with assurance that agencies have the resources to help the nation reach that level.


Thank you for your consideration of our comments.

02N-0273

Sincerely,

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NORTH DAKOTA FARMERS UNION

  
Robert L. Carlson  
President