



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

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April 7, 2004

United States Department of Agriculture
FSIS Docket Clerk
Docket #03-025 IF
Room 102, Cotton Annex
300 12th and C Street, SW
Washington, DC 20250-3700

FSIS Docket Clerk:

We recommend that a distinction be made between *non-ambulatory disabled livestock* and freshly injured livestock less than 30 months of age. The current definition of *non-ambulatory disabled livestock* includes livestock that cannot rise from a recumbent position or that cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral column, or metabolic conditions.

We do not believe it is appropriate to prohibit the slaughter of freshly injured, otherwise healthy animals, less than 30 months of age. Young healthy animals with broken legs or severed tendons slaughtered for food does not pose any risk of BSE. The automatic condemnation of these types of animals is a waste of wholesome food and an economic burden for small livestock producers and very small meat establishments.

Further, we recommend that young, under 30 months, otherwise healthy animals that have become injured during transit or became injured in the holding pens, be allowed to receive ante-mortem inspection by a veterinarian, who would determine if the animal is acceptable for slaughter. A government veterinarian could determine the suitability of the animal for food. The veterinarian could also determine if this animal should be tested for BSE. Currently, state and federal veterinarians are available for this purpose.

We also recommend that young, under 30 months, otherwise healthy animals that have become injured on the farm or producer's premises be allowed to be slaughtered under emergency provisions and processed for the owner's own consumption at state or federal meat establishments. The resulting products would not be allowed to be offered for sale. Animal producers could be required to provide the age of the animal as well as details of the injury.

In Wisconsin, we estimate that approximately 3,000 young, otherwise healthy, freshly injured cattle are slaughtered or processed at our state-inspected establishments each year. Eliminating these otherwise healthy, young non-ambulatory animals from the food supply will remove about 2,400,000 lbs. of meat per year of otherwise wholesome meat from the food chain, just in Wisconsin.

Also, by prohibiting the slaughter and processing of otherwise healthy, freshly injured cattle, there will be a significant economic impact on the very small meat establishments in Wisconsin. We estimate that the prohibition will result in a loss of income, slaughtering and processing costs, of \$1,032,000 per year for the very small establishments. This is based on an average \$40 per animal for slaughtering services and a processing fee of \$.38 per lb.

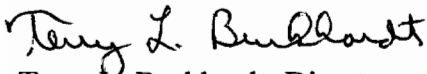
Also, the prohibition of the slaughter and processing on freshly injured young animals will result in a loss of \$3,120,000 per year to cattle producers in Wisconsin. This is based on the current market value of \$1.30 per lb.

The overall economic impact of this unnecessary prohibition will result in a loss of \$4.15 million dollars each year in Wisconsin.

We fear that because of the significant economic impact on small cattle producers, they will be hesitant to dispose of all injured animals. This will lead to illegal operations including illegal sale and processing of adulterated food. We believe it is better to allow and adequately regulate the slaughter and processing of young, otherwise healthy injured cattle than to establish a total ban on all non-ambulatory cattle.

If you have any questions regarding these comments, please contact me at 608/224-4725.

Sincerely,



Terry L. Burkhardt, Director
Bureau of Meat Safety and Inspection
DIVISION OF FOOD SAFETY

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