

576

RECEIVED  
FSIS DOCKET ROOM  
5547 Gloucester Street  
Churchton, MD 20733  
04 APR 13 PM 1:10

April 9, 2004

FSIS Docket Clerk  
Docket #03-025IF  
Room 102  
Cotton Annex  
300 12<sup>th</sup> and C Street, SW  
Washington, DC 20250-3700

Re: Docket No. 30-025IF;  
Prohibition of the use of SRMs and disposition  
of non-ambulatory disabled cattle

To Whom It May Concern:

In a comprehensive Federal Register notice [Fed. Reg. 69:7, 1861-1874 (2004)], the Department of Agriculture promulgated an interim final rule concerning the prohibition of SRMs for human food and requirements for the disposition of non-ambulatory disabled cattle. This interim final rule contains shortcomings such as issues that are not adequately addressed or in some instances neglected completely. Two deficiencies are the failure to adequately address surveillance and the failure to implement a national animal identification plan. Focusing on these issues would provide for more reliable surveillance in addition to adhering to the 30 month age minimum for non-ambulatory cattle testing.

The interim rule places strong emphasis on the newly established SRMs of cattle that pose serious health risks to humans or other non-ruminants, but neglects to evaluate herd health through surveillance. The interim final rule fails to sufficiently address surveillance of both high-risk cattle and the general population. Surveillance is necessary to identify the presence of BSE in the population and locate specific geographic regions that require special attention. In order to establish an effective rule the issue needs to be understood with fewer unknowns and variables. The surveillance plan established by APHIS, in conjunction with FSIS and FDA on March 15, 2004, outlines the necessary measures to implement a successful surveillance strategy. This would provide further understanding of BSE, in terms of transmission, origin, and distribution within the bovine population. Failure to incorporate the proposed surveillance plan by APHIS into the interim final rule prevents the establishment of guidelines and could inhibit communication between industry and governing agencies. The proposed plan would also provide for the standardization of data handling and collections, assuring a sufficient number of samples are tested. In addition to establishing the appropriate protocol for data collection and handling it would also allow for conclusions to be drawn that have an acceptable level of statistical and public confidence.

The second deficiency noted is the omission of a standardized national identification plan. Currently there is no uniform national identification plan for animals, thus creating an environment of confusion, as observed with the case in Washington state. The medical and management history of this cow was unknown or debatable, which slowed the response time of officials. With standardized record keeping and a more organized and comprehensive identification system the BSE occurrence in Washington could have been better managed. Thus, limiting the infected animal's exposure to other cattle and providing a more efficient method for the meat to be traced and removed from areas where it posed a human health risk. One such program that could provide this would be the U.S. Animal Identification Plan (USAIP) developed by the National Identification Development Team on December 23, 2003. This plan should be included into the interim final rule.

The implementation of this standard national identification plan would allow establishments to more successfully manage their herds. This plan would augment more reliable data to be collected regarding the age at which the prion concentration is at high-risk levels, which could aid in the understanding of transmission and the nature of the prion. When dealing with any biological organism there is natural variation among animals which could allow for mistaken results. An example would be reliance on the eruption of incisors to age a cow. It is a subjective method in determining the age and can lead to incorrect reporting of age. If the USAIP were implemented and all cattle producers complied subjective methods would be non-existent, birth date in contrast would be easily recorded and eliminate any question of age, therefore ensuring that the 30 month minimum age is upheld.

The proposed procedure in the interim final rule allows establishments, which process the carcasses or parts of cattle, flexibility in implementing the specific requirements of record keeping. This would not create favorable incentives for thorough and accurate record keeping. This could perpetuate disorganization, lack of uniform standards, poor communication among involved parties, and slow response time to a crisis situation. The USAIP would relieve producers from such entrapments. Therefore, the sooner all producers are executing this plan a better and more comprehensive strategy will be in place for the American public.

It is essential that the timeline proposed by USAIP be enforced in order to meet the goals set forth in the interim final rule ensuring safety of beef and beef byproducts to enhance public safety in a timely manor. While the cost of this plan may appear high, it is dwarfed by the potential costs of recalls, lost consumer confidence, time tracing animal histories, and loss of human lives. The expected cost of increased surveillance, as quoted by a USDA news release, is estimated at 70 million U.S. dollars. This does not begin to match the expense of time, resources, and money lost if those animals tested cannot be traced in relation to possible contamination. The same can be stated for the cost of the USAIP; the high initial cost is overshadowed by the long term savings and benefits.

The final interim rule for managing BSE is one tool, which will assist in prevention of contaminated meat supply. I commend this effort as a first step in undertaking a comprehensive BSE management plan. Yet to be fully effective the standardization of record keeping such as USAIP and the BSE surveillance plan proposed by APHIS, FSIS, and FDA need to be written into the final interim rule. Understanding of BSE is still in its preliminary stages worldwide therefore acknowledgement of unknowns and consideration of new findings in the future should be addressed in the final interim rule.

Thank you for your consideration of my comments and recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "James Roberson". The signature is written in a cursive style with a long horizontal flourish at the end.

James Roberson