

JANET NAPOLITANO
Governor



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DONALD BUTLER
Director

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Arizona Department of Agriculture

Meat and Poultry Inspection Program

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April 9, 2004

FSIS Docket Clerk
Docket Number 03-025IF
Room 102 Cotton Annex
300 12th & C Streets, SW
Washington, D.C., 20250-3700

On behalf of the Arizona Department of Agriculture, I respectfully submit this in opposition to a section of the interim final rule regarding the Prohibition of the *Use of Specified Risk Materials (SRMs) for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle*, as promulgated by Food Safety and Inspection Service.

To ban all non-ambulatory disabled cattle from slaughter is not just a "knee-jerk" reaction, it is bad business. A fat steer, heifer, or cow that has suffered a broken foot or leg, has slipped in the milk barn, has a broken pelvis from a heavy bull, birthing injuries from calving, should not be withheld from the food chain. They have never posed a human health hazard.

While we understand the severity of any Foreign Animal Diseases in, or intentional or non-intentional attack, upon our food supply, the Meat and Poultry Inspection Program of the Arizona Department of Agriculture will support any measures to safeguard the beef supply or exposure to prions, the causative agents for bovine spongiform encephalopathy (BSE). Scientific research has recovered prions from certain areas of the animal. These areas should be considered as SRMs and removed from our food supply.

All official slaughtering establishments under State Inspection Programs follow 9 CFR 309, Ante Mortem (AM) Inspection and 9 CFR 310, Post Mortem (PM) Inspection. Slaughter inspectors stationed at each slaughtering establishment are trained to observe abnormalities. All abnormal animals entering an official establishment are treated as "suspect" are segregated and slaughtered separately. These should be retained and sampled for prions. Animals so sampled and tested will be retained pending a final negative analysis. A positive analysis will trigger other actions.

Non-ambulatory/disabled cattle, due to the degree of involvement of pathology, may be condemned on the slaughter floor, on PM. That is where the decision should rest. Not as a blanket rule, covering non-food safety concerns. This unwise rule must be changed to reflect the realistic situations and concerns of our industry and public.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart Jacobson".

Stewart Jacobson
Program Manager
Meat and Poultry Inspection Program