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October 30, 2001

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

Reference: Docket No. 01N-0423

The final rule (Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed) established at Sec. 589.2000 (21 CFR 589.2000) has the stated objective:

"To prevent the establishment and amplification of the agent(s) of bovine spongiform encephalopathy (BSE) in the U.S. cattle herd through feed and thereby help minimize any risks from such agent(s) to animal or human health".

The objective has been, and is being met.

In addition to the "rule", other safeguards are in effect to meet the objective of the "rule".

- APHIS/USDA introduced import restrictions in 1989 and over the years has added to those restrictions as warranted.
- FSIS/USDA have submitted over 12,000 cattle brains from nearly every state and Puerto Rico for examination, with no evidence of BSE or other TSE found.

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In addition to government initiatives, several industry programs have been implemented, most notably Third Party Certification administered by Cooke and Thurber, for rendering and animal protein blending facilities. A compliance rate of >98% was recorded.

In summary, BSE does not exist in the United States. Broadening the list of animal proteins prohibited in ruminant feed is not warranted by scientific scrutiny.

Respectfully,

A handwritten signature in black ink, appearing to read "Kevin Custer", with a stylized flourish at the end.

Kevin Custer

Vice President

Technical Services

Former Chairman of the Board - Fats and Proteins Research Foundation

Former Chairman of the Board - Animal Protein Producers Industry