

October 26, 2006

Docket Clerk, USDA - FSIS
300 12th Street, SW.
Room 102, Cotton Annex
Washington, DC 20250

RE: Docket No. FSIS-2006-0011; Harvard Risk Assessment of Bovine Spongiform Encephalopathy (BSE) Update

On behalf of Farm Sanctuary, the nation's largest non-profit organization dedicated to the protection of farmed animals, I wish to comment on the Harvard Risk Assessment of Bovine Spongiform Encephalopathy (BSE) Update.

Human Food Supply

The Harvard-Tuskegee Study identified three pathways that could allow transmission of the BSE agent to humans:

- 1) Non-compliance with the FDA ban on ruminant to ruminant feed.
- 2) Rendering of animals who die on the farm and use of the rendered product in ruminant feed.
- 3) Inclusion of high-risk tissue from cattle in products for human consumption.

Farm Sanctuary recommends the following Specified Risk Materials (SRM) be excluded from both human and animal foods: brain and spinal cord of all cattle, skull and vertebral column of all cattle, and intestines from pylorus to anus from all cattle.

A total ban on SRM, regardless of age of the animal, would best protect the public since a blanket ban would significantly improve enforcement of the prohibition and eliminate the need to determine the age of each animal. The intestine should be considered a primary source of infectivity since infection with BSE has come from cattle ingesting contaminated feed, according to the Scientific Steering Committee of the European Union. In classifying the entire intestine as SRM, the EU Steering Committee noted that because slaughterhouse contamination of other intestinal areas with matter from the ileum can't be avoided, it is prudent to remove the entire small and large intestine.

BSE Testing

Consuming meat products contaminated with BSE has been linked to more than 150 human deaths worldwide from variant Creutzfeldt-Jakob Disease (Associated Press, 2006). Japan's national policy is for every cow to be tested for BSE (Lempert, 2006). The U.S. should do the same to protect the health and well-being of the American people. Currently, the USDA tests less than one percent of the cattle population and is in the process of initiating a reduction in BSE surveillance. Instead of reducing surveillance, Farm Sanctuary urges the USDA to *increase* the number of BSE tests conducted nationwide.

Animal Feed

We urge the FDA to ban all animal protein except milk and eggs from use in feed for any animal that enters the human food chain, an action that has already been taken by the European Union

(Bonné, 2004). There is evidence that Transmissible Spongiform Encephalopathy (TSE) diseases, of which BSE is one, are capable of crossing the species barrier. Some scientists theorize Britain's BSE outbreak occurred when cows ate feed containing parts of sheep and goats infected with scrapie (another TSE). In addition to stopping the practice of feeding mammals to other mammals, it should also be illegal to feed mammal remains to chickens and then feed the chicken litter back to mammals. It is not known whether prion infectivity is reduced or eliminated by passage of infected feed through the chicken's intestinal tract.

Regardless of whether the feeding of mammals to birds, or the feeding of birds to mammals or to other birds, poses a risk of direct transmission of BSE, these practices should be banned to prevent accidental feed contamination. Chicken feed containing cattle protein may spill on the barn floor and then become mixed with poultry litter that is then fed back to cattle. The Report on Measures Relating to BSE in the United States, produced by the international panel of experts convened by the USDA, noted that ruminant derived protein contained within the lumen of porcine or avian intestines at slaughter may be included in ruminant feed. Furthermore, the rendering process is not exact. Prohibited cattle feed can be mixed with other feed at rendering plants, feed mills, ranches, and other facilities where mixing takes place. With animals routinely being rendered and fed to other animals, there is no certainty that intentional or accidental contamination won't take place somewhere in the process. The only sure way to guard against the accidental feeding of poultry or pig-feed to cattle, or vice versa, is to not allow any avian or mammal meat or bone meal to be processed into animal feed.

Farm Sanctuary also supports prohibiting the use of animal blood in animal feed and milk replacer. Currently in the U.S. cow's blood collected at the slaughterhouse is used to supplement the colostrum replacer given to young calves. Dairy producers use milk replacer made from cattle blood protein as a cheaper alternative to milk. This practice enables intensive farming operations to remove calves from their mothers immediately after birth, which contributes to physical and behavioral problems for the animals. Cattle blood may also be sprayed directly on the feed of weaned calves and young pigs. A number of published studies have shown prion transmission through blood (Vojvodic S, 2002; U.S. Food and Drug Administration, 2002; BBC News, 2005) and the European Commission report on the assessment of BSE risk in the U.S. specifically condemned the practice of "intraspecies recycling of ruminant blood and blood products."

An extension of the current animal feed ban must be accompanied by the enforcement of measures to prevent cross contamination. The USDA's panel of international experts on BSE have recommended enforcement through an inspection program including sampling and testing of feed. The advance notice states that current compliance with the 1997 feed ban rule by feed mills, renderers, and protein blenders is very high. However, we understand that this assessment is based on feed businesses' reporting of their own practices and not on on-site government inspections and testing of animal feed. We encourage the FDA to include *on-site* inspections and feed testing in any new regulations related to animal feed.

Non-Ambulatory (Downed) Cattle

It is generally agreed that non-ambulatory cattle are more likely to be infected with BSE than healthy cattle and therefore pose a greater risk to public health. In fact, all three cows found to have BSE in the U.S. (Washington - 2003, Texas - 2005, Alabama - 2006) were downed and non-ambulatory.

Therefore, Farm Sanctuary *strongly supports* the USDA's ban on the slaughter of downed cattle, and urges that this ban be made permanent and expanded to other livestock species.

The Harvard-Tuskegee Study has also suggested that the risk of BSE transmission could be further reduced by prohibiting the rendering of animals who die on the farm, an approach we support.

In addition, we request that the following concerns be taken into consideration and addressed by any on-farm surveillance program of live non-ambulatory animals:

- 1) It is important that examination of live animals be conducted in a timely manner so that animal suffering is minimized.
- 2) Animals must be humanely euthanized in a timely manner by properly trained personnel and only by approved methods.

Thank you for considering Farm Sanctuary's comments on this important issue.



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