



July 26, 2004

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(540) 877-2590 / FAX: (540) 877-3215**Via Electronic Mail and FAX**Division of Dockets Management
(HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

REQUEST FOR EXTENSION OF COMMENT PERIOD
Docket No. 2004N-0264

To Whom It May Concern:

This letter concerns the announced notice of proposed rulemaking (ANPRM) on possible changes to its feed regulation (21 C.F.R. § 589.2000) and other additional measures being considered to mitigate the risk of bovine spongiform encephalopathy (BSE), which was published in the 69 Fed. Reg. 42288 (July 14, 2004).

Our organization is a collector and recycler of animal by-products providing service to over 40,000 farms and establishments in 17 states. We recycle over 65 million pounds of animal by-products on a weekly basis. The ANPRM which was published on July 14, 2004 has questions relating to major changes in the processing and utilization of animal by-products from those we have been accustomed to for nearly a century.

We do not believe that the 30 days allowed for comment in this regard are sufficient to adequately address each of the questions with the far-reaching consequences that many of them hold. As the FDA knows the U.S. rendering industry has worked closely and constructively with it in order to enact scientific based regulations that address the safety of the U.S. cattle population with regard to BSE. The most important of which is the feed regulation which was enacted in June 1997 banning the use of most mammalian rendered products in cattle feeds and to which the U.S. rendering industry has an admirable 99% compliance record.

Our company and the U.S. rendering industry in general requests that the comment period for this ANPRM be extended from 30 days to 90 days.

The contemplated removal of SRMs from animal feeds and the possible elimination of other rendered products from animal feeds for certain individual species requires a significant amount of economic modeling. Also, these questions contemplate significant changes in the way our industry operates, as well as the operations of livestock and poultry producers and feed manufacturers. Some issues addressed would result in the need for alternate uses or disposal

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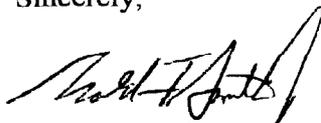
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methods for a vast volume of animal by-product material. We simply do not believe that adequate answers can be researched in the 30-day period provided.

If you wish to discuss this matter further, please do not hesitate to contact us at (540) 877-3202. On behalf of the over 1,300 employees of Valley Proteins, Inc. and the 40,000 establishments we serve, we appreciate your consideration of this request.

Sincerely,



Gerald F. Smith, Jr.
President

GFSjr:csc