



**NFPA**  
*The Food Safety People*

August 13, 2004

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Dockets Management Branch  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, Maryland 20852

NATIONAL  
FOOD  
PROCESSORS  
ASSOCIATION

**Re: Docket No. 2004N-0264; Federal Measures to Mitigate BSE Risks:  
Considerations for Further Action; 69 FR 42288 (July 14, 2004)**

Dear Sir or Madam:

John R. Cady  
*President and  
Chief Executive Officer*

The National Food Processors Association (NFPA) is the voice of the \$500 billion food processing industry on scientific and public policy issues involving food safety, food security, nutrition, technical and regulatory matters and consumer affairs. NFPA's three scientific centers and international office (Bangkok, Thailand), its scientists and professional staff represent food industry interests on government and regulatory affairs and provide research, technical assistance, education, communications and crisis management support for the Association's U.S. and international members. NFPA members produce processed and packaged fruit, vegetable, and grain products, meat, poultry, and seafood products, snacks, drinks and juices, or provide supplies and services to food manufacturers.

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In the above referenced advance notice of proposed rulemaking (ANPR), FDA notes its intent to ban the use of specified risk materials (SRM) for BSE from use in all animal feed. In preamble discussion of recommendations of the International Review Team (IRT), which reviewed US reaction to the December 2003 BSE positive animal, of different measures to reduce risks associated with animal feed, FDA correctly noted its belief that measures it previously announced would serve to reduce **the already small risk of BSE spread through animal feed**. FDA further stated that additional information is needed to determine the best course of action in light of the IRT recommendations. We concur with this assessment. However, we believe that a 30-day comment period on this ANPR is clearly inadequate to allow the development of that additional information.

WASHINGTON, DC  
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In the short time frame provided for input on the issues raised in the ANPR noted above, NFPA offers the following general observations.

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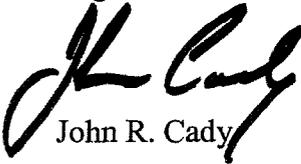
**Due consideration of both the economic impact and the environmental impact should be given before, not after, a proposal is developed to ban the use of all SRMs in all animal feed.**

**It would be prudent for FDA to await further input, including, for example, further results from the ongoing APHIS enhanced BSE surveillance testing before proposing such a far-reaching rule. Testing to date certainly suggests either a very low prevalence or the absence of BSE in the US herd. This type of information will be extremely useful in making rational policy decisions about costly interventions for further small incremental reductions in an already low risk.**

**Any ban on the use of SRMs in cattle feed should contain an exception for any cattle materials that are subjected to a process that can be documented to destroy the BSE infective agent. Such an allowance will encourage innovative new strategies and processes to destroy or inactivate the agent.**

We look forward to an opportunity to provide further input after additional information on the prevalence of BSE in the US has been gathered and FDA, in consideration of that information, has determined the need to propose additional measures to further lower an already low risk of BSE transmission. We appreciate this opportunity to comment on the proposed rulemaking.

Regards,



John R. Cady

cc: OMB