



MARYLAND CATTLEMEN'S ASSOCIATION, INC.

"The Voice of the Maryland Cattle Industry"

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November 28, 2005

Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Docket #2002N-0273
RIN 0910-AF46

To Whom It May Concern,

I am writing to express our opposition to the proposed FDA rule regarding the use of cattle materials in animal feed. This new rule will create an unnecessary hardship on Maryland farmers and cattle producers by removing their means of economically disposing of deadstock.

Clearly, the existing science does not support this proposed change to a rule which has been in place, and by all accounts, working well since 1997. The current testing protocol has examined over 500,000 animals with only one single positive BSE result. That single positive result was confirmed to be in tissue from an animal born before the current feed rule went into affect. And, due to the existing layered firewalls, no material from that animal ever entered the feed or food chain. **The current rule for testing and surveillance is working.**

The specific impact of the proposed change to the existing rule will be either the total halting of all deadstock retrieval by rendering companies or, the need to institute a significantly higher fee structure for any future retrieval. Higher costs of disposal will create a serious financial burden on cattle producers and will discourage the use of future disposal services. Farmers will be forced to seek alternative disposal means, for example burying, which could create unwanted environmental damage and associated negative health impacts. We have a system in place under the current rule that has proven itself and is working well. It is a system that works without placing undue economic burden on our cattle producers.

In summary, we see no scientific data to support the proposed rule change. Conversely, we recognize several years of data to substantiate to effectiveness of the current rule. The proposed change is not needed and we strongly urge the FDA to NOT ADOPT the proposed rule changes.

Sincerely,

Scott M. Barao, Ph.D.
Executive Director.

CC: Senators Sarbanes and Mikulski

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