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December 1, 2005

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

Docket No. 2002N-0273
RIN 0910-AF46

To Whom It May Concern:

I am writing to express my family dairy farm's opposition to the proposed FDA rule regarding the use of cattle materials in all animal feed. More specifically, I oppose the prohibition of using "the entire carcass of cattle not inspected and passed for human consumption if the brains and spinal cords have not been removed." This provision would create unnecessary hardship on our family farm and would eliminate our ability to economically dispose of dead animals. Because of the high level of care that we give our animals, our farm mortalities are minimal. Even so, every family farm must have a safe and affordable method of disposing of mortalities.

There does not appear to be any scientific reason to change the rule that has been in place since 1997. The current rule for testing and surveillance appears to be working, with 99% livestock industry compliance.

The new rule would cause companies that accept dead animals to either discontinue their service or to charge such high rates that it would no longer be economically affordable for family farmers to use their disposal services. In introducing the Proposed Rule, Dr. Andrew von Eschenbach said that "these additional measures...will make an already small risk even smaller..." Any marginal benefit of tighter requirements is not economically justifiable due to the disproportionately large costs to our nation's livestock producers.

In the not-so-distant past, we used to be able to dispose of farm mortalities locally at no cost. Under the existing regulations today, our only alternative is to call *one* out-of-state company that charges \$40 per stop. If this company is forced to discontinue its recycling business, we literally will have no alternative but to begin some type of on-farm burial or compost site for mortalities. Surely the public health and environmental impact of thousands of small farms having to independently handle their animal mortalities would be far worse than any marginal benefit of tightening the existing regulation.

The new rule puts an undue burden on what is already an economically marginal business and is unnecessary given the current level of scientific knowledge. On behalf of my family dairy farm, I strongly urge the FDA not to adopt this new rule.

Sincerely,

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