

Division of Dockets Management (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
room 1061  
Rockville, MD 20852

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Re: Docket No. 2002N-0273  
RIN 0910-AF46  
Substances Prohibited From Use in Animal Food or Feed

The Virginia Department of Environmental Quality (DEQ) submits the following comments on the proposed rule prohibiting certain cattle origin materials in animal food or feed. DEQ applauds efforts to prevent the spread of bovine spongiform encephalopathy. However, DEQ is concerned that the proposed rule may have the unintended consequences of negatively impacting the environment.

Currently, 2.4 million pounds of deceased cattle are rendered at plants in Virginia. From an environmental standpoint, rendering is preferred over disposal at a landfill or on a farm. Both DEQ and the Environmental Protection Agency have established a waste management hierarchy, which ranks the most preferable ways to address solid waste (<http://www.epa.gov/epaoswer/non-hw/muncpl/1>). Rendering is a form of recycling and should be used whenever possible rather than any type of disposal. Disposal is actually the last option that should be considered in any decision on how to manage a waste stream. Farm burial provides no protection from potential leaking of the material into groundwater. Virginia still has many unlined active landfills, which also provide no groundwater protection.

The proposed rule requires separation of specified risk materials prior to rendering. This increased handling of the deceased cattle may not be feasible or cost effective. The end result may well be increased landfilling or farm burial of the deceased cattle.

DEQ encourages FDA to find solutions that will allow and encourage the continued rendering of deceased animals and thus support environmental protection.

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