



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Washington, D.C.  
20250

SEP 10 2004

Mr. John Winston  
975 Hillsboro Mile  
Hillsboro Beach, Florida 33062

Dear Mr. Winston:

Thank you for your April 12, 2004, letter to Secretary Ann Veneman requesting a ban of all non-ambulatory disabled, or downer, cattle from the human food supply. The Secretary appreciates your comments and has asked the Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) to provide you with additional information on this issue.

FSIS is the public health agency within USDA that is responsible for ensuring that meat, poultry, and processed egg products are safe, wholesome, and accurately labeled. FSIS enforces the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, which require Federal inspection and regulation of meat, poultry, and processed egg products prepared for distribution in commerce for use as human food.

The United States has the safest food supply in the world. For more than a decade, the United States has had in place an aggressive surveillance, detection, and response program for bovine spongiform encephalopathy (BSE). You may be interested to know that on December 30, 2003, USDA further strengthened its protective systems against BSE by putting into effect an immediate ban on all non-ambulatory disabled cattle as a source of human food. This action was taken to serve as a firewall to further safeguard the food supply.

We would like to point out that the Agency's action with respect to non-ambulatory disabled cattle was part of an interim final rule, which was published in the *Federal Register* on January 12, 2004. Comments on this rule were accepted until May 7, 2004. We have submitted your letter to be considered as part of the official record of public comments on the rule.

In regard to your concerns about the content of animal feed, the Department of Health and Human Service's (HHS) Food and Drug Administration (FDA) has jurisdiction over animal feed. On July 9, 2004, USDA and HHS released a joint Advanced Notice of Proposed Rulemaking (ANPR) to solicit comments on issues involving BSE, including measures related to the protection of animal feed. We have submitted your correspondence to FDA to be considered as part of the official record on issues related to animal feed. If you would like to contact FDA by mail, you may do so at: FDA/CVM, 7519 Standish Place, HFV-12, Rockville, Maryland 20855 or electronically at: [CVMHomeP@cvm.fda.gov](mailto:CVMHomeP@cvm.fda.gov).

During our response to the BSE situation we have been constantly guided by what is in the best interest of public health. Our primary mission is to protect the safety of the food supply for all consumers and we will take whatever action is necessary to do so.

Mr. John Winston

Page 2

If you would like to learn more about FSIS, we encourage you to access our web site at <http://www.fsis.usda.gov>. The recently redesigned FSIS web site now boasts an innovative food safety educational tool available called Ask Karen, a web-based automated response system that will answer questions from consumers about the safe storage, preparation, and handling of meat, poultry, and egg products in order to reduce the risk of foodborne illness. We hope that you will visit our web site in the future and utilize Ask Karen.

Thank you for writing.

Sincerely,



Philip S. Derfler  
Assistant Administrator  
Office of Policy, Program, and Employee Development



[www.fsis.usda.gov](http://www.fsis.usda.gov)

**Food Safety Questions? Ask Karen!**

FSIS' personalized information assistant can provide  
food safety information 24/7



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April 12, 2004

The Honorable Ann M. Veneman  
Secretary of Agriculture  
U. S. Department of Agriculture  
14<sup>th</sup> & Independence Ave. S.W.  
Washington, DC 20250

**03-4248250  
FSIS**

Dear Secretary Veneman:

I am just a typical consumer and U.S. taxpayer. For the following reasons, I believe downer cattle should be banned for meat consumption by any living being.

1. Downed animals cannot walk on their own which is but **one** of the known symptoms of mad cow disease,
2. Banning downed cattle might give farmers the incentive to prevent the problem in the first place. Downed animals can be prevented with better care, not forklifts.
3. A downed animal is a possible sign of central nervous system impairment. In any event, it is a visible sign nonetheless. The animal is in need of something from somebody as a result of mistreatment. This is a key time to address such issues.
4. Contaminated feed, such as blood or meat meal, that contains nervous system tissue from an infected animal is a reason to stop contaminating the feed. Period.
5. The major concern for consumers is the potential contamination of meat products by brain and spinal cord tissue during routine slaughter. This must be halted at the earliest possible time and slaughterhouses have profit reasons not to do it.
6. In the United Kingdom, 153 people have died from CJD. Why should one more be sacrificed?
7. The government has no basis for claiming that Americans do not consume meat products containing spinal column and brain tissue. Where is the proof?
8. Cattle ranchers are making mincemeat out of Brazil's Amazon rainforests which is a demonstration of how the buck rules.
9. The American ethic of animal husbandry is ruled by profit which is the reason outside regulation is mandatory. Thank our exporting partners for this important reminder which we forgot.
10. Many want the ban expanded to keep downer meat out of the animal-feed chain as well for precisely the same reasons, Do you want your pets to come down with ???
11. Consumer confidence cannot be ignored. Stopping the flow of injured animals is a small price to pay compared to the gain in consumer confidence.
12. The feed industry needs more regulation. They crossed the line.
13. Cattle should be fed strictly vegetarian diets, free of blood or other animal proteins. They are herbivores.

14. If we don't get cows back to eating plant material strictly we're just going to visit another issue down the road.
15. Fatigue, stress, nerve paralysis, obesity, or one or more broken or fractured appendages, severed tendons or ligaments, or dislocated joints are signs of mistreatment and must not be rewarded.
16. Since mad cow, more than thirty countries have denied themselves the importation of U.S. beef and beef products and estimates of the initial cost to U.S. producers may be \$2 billion. Is there a message here?
17. Some USDA veterinarians resigned their positions because of the pressure to more quickly put the USDA stamp of approval on downers. Is anybody listening?
18. Each downer represents \$500 to the producer with the 150,000 to 200,000 downers each year providing a value of \$75 to \$100 million. This bad situation needs to be addressed at the source
19. McDonalds already refuses to use meat from downer cattle.
20. U.S. consumer groups and some Democrats have urged the Bush administration to prohibit the use of downer cattle in the human food supply.
21. European veterinary experts believe that BSE could be present in the US. But stringent controls, including banning crippled cattle from human food, have been resisted. Is the U.S. customer oriented?
22. Some 20,000 downers are eaten yearly in the US. While Canada and European countries have banned such cattle from human consumption. Why should we take such chances?
23. European countries ban cattle from all feed. Why can't we?
24. Mahatma Gandhi said a society is judged by the way it treats its animals. Can the U.S. stand to improve its image?

Sincerely,

  
John Winston

Cc Representatives Dennis Rehberg and Collin Peterson