



October 31, 2005

Mr. Jeffrey Shuren
Assistant Commissioner for Policy
Food and Drug Administration
5630 Fishers Lane, rm. 1061
Rockville, MD 20852.

Re: Proposed Rule Changes to the 1997 Feed Rule

Dear Mr. Shuren:

The Texas Association of Business represents almost 140,000 employers across the state. The agriculture industry continues to be a large and growing part of the Texas economy and represents a significant portion of our membership.

Currently, the FDA is proposing to change the 1997 Feed Rule to ban all cattle brains and spinal cords from all animal feed. If brains and spinal cords are not removed from dead and downed cattle before rendering, these entire carcasses will also be banned from all animal feed.

Independent renderers now pick up many dead and downer cattle and calves from beef and dairy operations, as well as poultry, swine, and horses. Since the 1997 restrictions on feeding of ruminant proteins, the decrease in value of by-products from dead animals has necessitated pick-up charges to farmers and feedlots.

If this rule is adopted, renderers will be forced to invest in equipment to remove and keep separate brains and spinal cords. In hot or cold weather, or in remote locations, many dead cattle will not be in condition good enough to achieve the required brain and spinal cord removal.

We believe that the FDA has underestimated the effects of the proposed rule—that additional regulatory restrictions will have important negative environmental and economic impacts. New rules will likely:

- Cause many renderers to cease pick-up of dead cattle.
- Cause renderers to increase pick-up charges causing farmers to seek alternative disposal.
- Increase in incidences of inappropriate disposal.

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- Cause the economics of many pick-up routes to be so poor that other species will also cease to be picked up.

Renderers also pick up offal from custom slaughter and locker plants as well as small packing plants. New rules will likely:

- Require these operations to separate brains and spinal cord from offal going to rendering.
- Cause renderers to increase pick-up charges causing plant operators to seek alternative disposal.
- Increase in incidences of inappropriate disposal.

The increased inappropriate disposal of dead animals and offal will lead to environmental and animal health problems that are not accounted for in the FDA proposal. In trying to rid the U.S. of an extremely small risk of spread of BSE in cattle, the proposed FDA regulation could increase the real risk of many other animal diseases.

We ask that you reconsider the proposed rule as written.

Sincerely,

A handwritten signature in black ink that reads "Bill Hammond". The signature is written in a cursive, slightly slanted style.

Bill Hammond
Texas Association of Business