



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION
ROCKVILLE, MARYLAND 20857

Honorable Bo Ginn
House of Representatives
Washington, D.C. 20515

OCT 10 1978

Dear Mr. Ginn:

Thank you for your inquiry of September 1, 1978 on behalf of Mr. Joseph J. Garbarino, President, American Cyanamid Company, Princeton, New Jersey, concerning antibiotics in animal feed.

As you know, the Food and Drug Administration (FDA) has offered opportunity to submit analysis and data to support requests for formal evidentiary hearings on the proposals to restrict uses of penicillin and the tetracyclines in animal feed. The American Cyanamid Company has submitted requests for hearings and a large amount of supporting data and information. We have a number of additional hearing requests as well. We are currently reviewing the submissions to identify any material issues of fact in dispute requiring evidentiary hearings for resolution. Final determinations have not yet been made and announced.

The issues addressed in Mr. Garbarino's letter include those which may require a hearing for resolution. Thus, we consider it inappropriate to argue these issues at this juncture. Our position was clearly stated in the Federal Register notices of August 30 and October 21, 1977, copies of which were sent to you previously. Legal procedures now require the evidentiary hearing procedures as the forum to argue and resolve material issues in dispute.

We trust you appreciate the reasons for not responding in detail to Mr. Garbarino's letter. If we can be of further assistance, please let us know.

Sincerely yours,

Robert C. Wetherell, Jr., Director
Office of Legislative Services

Enclosure
Constituent's letter

cc: HFA-305(w/cy inc)

77N-0316

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