



Buyers Up • Congress Watch • Critical Mass • Global Trade Watch • Health Research Group • Litigation Group  
**Joan Claybrook, President**

September 13, 2004

Docket No. 04-047-1  
Regulatory Analysis and Development  
PPD  
APHIS Station 3C71  
4700 River Rd.  
Unit 118  
Riverdale, MD 20737-1238

Re: Docket No. 04-047-1

Dear Sir or Madam:

On behalf of Public Citizen, I welcome this opportunity to comment on questions posed by the Animal and Plant Health Inspection Service in the above-captioned docket regarding proposed regulations on bovine spongiform encephalopathy (BSE).

1. Would there be value in establishing a specialized advisory committee or standing subcommittee on BSE?

We believe that there would be value in establishing such a committee, provided that the committee includes representatives from consumer, animal welfare, family farming, and CJD victims groups. Additionally, we feel that it is important for such a committee to be convened outside of APHIS, so that it is not limited to an animal health perspective, but deals with BSE in a more inclusive way. Such a committee should be adequately staffed so that the committee could receive needed access to agency decision makers.

23. Non-Ambulatory Cattle -- What other innovative solutions could be explored?

The methods for disposal of non-ambulatory cattle, other cattle at risk for BSE, and Specified Risk Materials should be dictated by the efficacy of the method in destroying prions, not by efforts to find potential uses for the byproducts of the process. Too many other experiments have left the public exposed to health risks because they focused on turning what should be treated as a waste and isolated from the environment into a product for "beneficial re-use." The unique durability of prions under many environmental conditions presents a challenge for many technologies that could be used to generate energy. We are concerned that the amount of energy generated by the disposal of suspect cattle and SRMs will not be enough to justify the potential risk of spreading undestroyed prions into the environment. The goal of disposal should be destruction of prions, or isolation from the environment, not the generation of energy.

24. Animal Identification -- When and under what circumstances should the program transition from voluntary to mandatory?

Any animal identification program must not burden producers with excessive costs because of mandated technologies; must not shift liability from meatpackers to producers; must not allow meatpackers to discriminate against independent producers; and must not exclude imported animals. Current proposals for animal identification programs do not offer any information to consumers, therefore we feel that USDA's first priority should be

implementing mandatory country-of-origin labeling. Without such labeling, consumers cannot discern if their food is coming from other countries, even if an animal identification system is in place.

25. Animal Identification -- What species should be covered both initially and in the longer term?

The first priority should be to identify imported cattle as they enter the U.S. and to find imported cattle which are already here.

Initially, animal identification should apply to cattle. If future programs apply to other species, the regulations should address the standard practices used with that species, such as whether the animals move in groups or as individuals through the production system. This should be used in deciding whether premises identification could be sufficient for some species.

Sincerely,

Wenonah Hauter  
Director  
Public Citizen's Energy and Environment Program