



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

April 7, 2004

Dear Secretary Veneman,

We are writing to urge you to withdraw the proposal to allow the import of live cattle and certain beef products from countries with diagnosed cases of Mad Cow Disease, including Canada. In light of the discovery of two BSE-positive animals of Canadian origin in the last year, it is premature to weaken the ban imposed on these imports.

As we have stated in previous comments on this proposed rule, the justification being offered for this change is that the U.S. should now allow the import of ruminants from “minimal risk” countries, which includes Canada. This flies in the face of the policy which has been in place since 1989, which was to only allow the import of ruminant animals or products from countries which are considered “BSE-free.” To be considered BSE-free, a country must report no indigenous cases for seven years, and maintain and effectively enforce a feed ban for eight years. Instead of applying these standards, which have served us well to this point, the USDA seems to be looking for ways to adjust their rules to allow Canada to qualify. Moreover, as the USDA well knows, Canada is not even a “minimal risk” country; it is a “moderate risk” one. Only a very creative reading of the international guidelines on BSE risk allows the USDA to claim Canada as “minimal risk.”

In addition to this abrupt and ill-timed shift in regulatory policy, there are clear differences between the American and Canadian rules designed to prevent BSE. These should be examined before cattle from Canada are allowed to enter the U.S. The first can be seen in the rules on ruminant feed. In January, the FDA announced that it would end the present exemption in the feed rule that allows mammalian blood and blood products to be fed to other ruminants as a protein source.¹ Canadian officials have stated that they have no plans to take similar steps to ban cattle blood in feed,² despite recent evidence of potential infectivity of blood. There has now been a sheep that contracted BSE experimentally through a blood transfusion³ as well as a case of vCJD in a person in Britain who received a blood transfusion from another patient who later went on to develop vCJD.⁴

1 Jan. 26, 2004, U.S. Food and Drug Administration Press Release, “Expanded ‘Mad Cow’ Safeguards Announced to Strengthen Existing Firewalls Against BSE Transmission” <http://www.hhs.gov/news/press/2004pres/20040126.html>

2 January 28, 2004, “Canada won’t ban cow blood in feed” <http://www.canoe.ca/NewsStand/WinnipegSun/News/2004/01/28/327305.html>

3 Houston F, Foster JD, Chong A, Hunter N, Bostock CJ. “Transmission of BSE by blood transfusion in sheep” *Lancet* 2000;356:999-1000

4 December 17, 2003, “Donor, recipient die of Mad Cow Disease” Associated Press

The second notable difference is in BSE surveillance. In March, USDA announced that it will greatly expand its BSE surveillance, conducting more than 200,000 tests in the next 18 months.⁵ Yet the Canadian government plans only to conduct 8,000 tests in the next year.⁶ Even allowing for the differences in herd size, this testing rate is considerably lower than the planned rate in the U.S.

A report released by an international panel of experts commissioned to evaluate the response to the discovery of BSE in the U.S. identified several areas where the USDA and FDA's BSE safety net could be tightened, including testing, animal feed restrictions, and the handling of high-risk materials. Until these criticisms are addressed and we are doing all we can to ensure that a potential animal health problem cannot become a public health problem, it is irresponsible to import more cattle from a country that has been the source of all the known North American cases.

The use of quarantines or other measures to restrict the movement of potentially disease-carrying plants or animals from areas of high prevalence to areas of lower prevalence is a long-established method of infectious disease control in public and animal health. Given the evidence we now have about the prevalence of BSE in Canada and the U.S. (two indigenous cases among 13.4 million cattle in Canada, compared to no indigenous cases among 96.1 million U.S. cattle)⁷ allowing the unlimited import of Canadian cattle increases the likelihood that more cases of BSE could be found in this country.

Lastly, we believe that the August 8, 2003 announcement lifting the ban on the importation of Canadian boxed beef should be rescinded. If Canada is unwilling to conform to our surveillance standards, then there are no assurances that the meat processed from those animals will be safe for human consumption. Therefore, to protect our consumers from eating Canadian meat that may be contaminated with BSE, we urge that the borders be closed again to meat imports from Canada.

Sincerely,

Wenonah Hauter
Director
Public Citizen's Energy and Environment Program

⁵ March 15, 2004, U.S. Department of Agriculture Press Release, "Veneman Announces Expanded BSE Surveillance Program"

<http://www.usda.gov/Newsroom/0105.04.html>

⁶ January 8, 2004, "Ottawa to expand BSE testing" http://www.cbc.ca/stories/2004/01/08/madcow_040108

⁷ USDA Economic Research Service. Background data for BSE coverage. Available at <http://www.ers.usda.gov/news/BSECoverage.htm>