

May 21, 2003

Secretary Ann Veneman
U.S. Department of Agriculture
Jamie L. Whitten Building
14th Street & Independence Avenue, S.W.
Room 200-A
Washington, D.C. 20250

Dear Secretary Veneman:

With yesterday's announcement by Canadian agriculture officials that a cow in Alberta had tested positive for bovine spongiform encephalopathy (BSE), it has become more crucial than ever that the United States Department of Agriculture adopt additional measures to protect American consumers. Although there is no evidence that BSE exists in the U.S. cattle herd, the Canadian experience demonstrates that it is possible.

In August 2001, the Center for Science in the Public Interest (CSPI) petitioned USDA's Food Safety and Inspection Service (FSIS) to issue a regulation banning beef slaughter and processing operations from using spinal columns and neck bones in Advanced Meat Recovery (AMR) and other systems that mechanically separate meat from bones. Such a ban is necessary to ensure that spinal cord, dorsal root ganglia and other central nervous system (CNS) tissue -- the most infective parts of cattle with BSE -- are not consumed by humans.

Under USDA regulations, boneless comminuted beef product containing spinal cord does not meet the definition of meat and therefore is misbranded. A 2002 survey of 34 establishments producing beef products from AMR systems showed that approximately 35 percent of the final product samples tested positive for CNS and CNS-associated tissues.¹ Based on these results, USDA, in March 2003, began a regulatory sampling program to test beef product from AMR systems to verify that spinal cord tissue is not present.

While testing for CNS and CNS-related tissue is an important step, FSIS is still treating the presence of CNS tissue in comminuted beef product as a mislabeling issue rather than a human health issue. The discovery of the BSE-infected cow in Canada demonstrates that precautionary measures are needed to ensure that meat products are never contaminated with infective tissue.

¹ USDA, Food Safety and Inspection Service, *USDA Begins Sampling Program for Advanced Meat Recovery Systems*, News Release (Mar. 3, 2002).

We urge FSIS to act on CSPI's 2001 petition and ban the use of spinal cords and neck bones in AMR and other systems that mechanically separate meat from bones. This action would help prevent contamination of the food supply with the infective agent that causes BSE if U.S. cattle were ever infected.

Sincerely,

Michael F. Jacobson, Ph.D.
Executive Director

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Director, Food Safety Program

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Senior Food Safety Attorney