

Testimony Presented to Senate Agriculture Committee and House Agriculture & Natural Resources Committee regarding

Bovine Spongiform Encephalopathy

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I appreciate the chance to speak to you this morning about a critical issue facing our nation, our state and all our farmers and consumers: bovine spongiform encephalopathy (BSE), commonly known as “mad cow disease.” It is important that as members of the Agriculture Committee that you have the latest information regarding this issue; therefore, my purpose here this morning is to summarize the events that took place, detail the Department of Agriculture's role in responding and dealing with this case and to provide an analysis of where we are as a department and as an industry as they relate to BSE. I understand Congress will also have a hearing on this very subject this afternoon.

What a Christmas we had at the department of agriculture. The bad news was that USDA Secretary Ann Veneman on Dec. 23 announced the first U.S. detection of BSE in a cow in Washington State. The good news, though: it was an isolated case, and by no means does it qualify as a crisis.

No parts of the cow suspected by scientists as capable of carrying and transmitting BSE infection – brain and spinal cord tissue – went into the food chain. Muscle meat – those cuts typically found for sale in the U.S. – and milk are considered by scientists to be safe. Even so, as a precautionary measure, the USDA announced a recall of 10,410 pounds of raw beef.

While Washington State seems far away, the BSE find hit close to home for Ohio cattle producers who were experiencing record-high prices only to be hit with news that 30 countries had banned U.S. beef imports. Since then, beef prices have gone from record-high to poor and back to good again. Consumer confidence in the U.S. beef supply is back up, thanks to changes made across the nation and in Ohio.

The news also hit home for our divisions of meat inspection, animal industry, food safety and plant industry, which are charged to protect our food supply and Ohio consumers. The Ohio Department of Agriculture is a regulatory agency. We work every day under the authority in Ohio Revised Code to protect the food supply. Let me give you a brief run-down of how each affected division is involved in safeguarding our food supply against incursions of BSE:

- **Meat Inspection** . The department's 117 meat inspectors, supervisors, and veterinarians in the Division of Meat Inspection (our largest division) routinely inspect meat processors. Last year, they performed more than 213,000 inspections of the state's 229 licensed plants. They inspect every animal that enters the food chain before and after it is slaughtered and an inspector is always present to assure that humane slaughter practices are observed.
- **Animal Industry**. Our Animal Industry Division monitors the health of our livestock herds by regulating the import of animals into Ohio, performs tests for a number of animal diseases, and through its accredited Animal Disease

Diagnostics Laboratory submits tissue samples to the National Veterinary Services Laboratory in Ames, Iowa as part of BSE and other disease surveillance efforts.

- **Food Safety.** Our Food Safety Division is responsible for assuring consumers are provided foods that are safe, unadulterated, and honestly presented. The division inspects the food processing industry including the warehousing and distribution of food products. In addition, the division audits and evaluates each of the local health department retail food establishment inspection programs.
- **Plant Industry.** The Division of Plant Industry is home to the Feed and Fertilizer Section, which helps assure that label claims are accurate on all feeds. In particular, they help check to make sure all the state's feed manufacturers are in compliance with laws that prohibit certain animal materials from being fed to cattle. This section does an inspection each year of each of the state's 660 feed manufacturers. This year, we contracted to perform 150 annual BSE inspections for the FDA.

We participated in daily conference calls with our counterparts at USDA-Animal Plant Health Inspection Service (APHIS) and FDA, which kept our team informed about the latest developments. It was this way that in the coming days we learned that epidemiology had traced the 6-½-year-old cow to Canada; that the animal may have been fed contaminated feed prior to the 1997 ruminant-to-ruminant feed ban in the U.S. and Canada; and that our state meat inspection program would change forever.

While the risk to human health and the likelihood of BSE spreading in the U.S. cattle herd remained low initially, there were still changes that had to be made. USDA reacted within a week to make changes to the nation's meat processing policies and eliminated many of the concerns that were being voiced at ODA. As a result, during the last few weeks, Ohio has begun implementing the most sweeping policy changes in meat inspection during my 13 year tenure at ODA.

The policies were outlined by Secretary Veneman on Dec. 30 and adopted immediately in Ohio within the context of existing state regulations. Last week, they were finalized in the federal register as interpretive rules effective immediately in Ohio without the need for changes to state law or rule. These policy initiatives will further ensure that our domestic beef supply is safe, wholesome, and unadulterated and has the complete confidence of consumers.

The policy directives apply to both fully inspected and custom licensed (non-commercial) state meat processing establishments, and are in effect now:

- **Banning Non-Ambulatory, Disabled (Downer) Cattle.** All non-ambulatory, disabled (downer) cattle and calves are ineligible for use as human food. They are now considered “adulterated” under existing regulations. Non-ambulatory livestock is defined by USDA as “livestock that cannot rise from a recumbent position or that cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, or metabolic disease.” Such animals must be condemned and disposed of by an approved method.
- **Product Holding.** Meat processors must retain any tested carcass until such tests are confirmed negative. (Previous regulations already require animals exhibiting central nervous system symptoms to be condemned and declared unfit for human consumption.) This would prevent the need for a recall if a future case were detected.
- **Specified Risk Materials.** Specified risk materials, including brain and spinal cord in cattle over 30 months of age, are now considered unfit for human consumption. (These were previously banned as an ingredient in ground beef.) Tonsils and the lower portion of the small intestine from cattle of any age are now banned from human consumption.

Other changes that were implemented nationally are not used in Ohio state-inspected meat processing facilities, nor are they known to be used in federal plants killing cattle in Ohio:

- **Advanced Meat Recovery.** This industrial technology removes muscle tissue from the bone of beef carcasses under high pressure but may accidentally result in meat contamination by high-risk material.
- **Air-Injection Stunning.** This practice could dislocate high-risk material (brain) into the tissues of the carcass in some cases as a consequence of humanely stunning cattle during slaughter.
- **Mechanically Separated Meat.** This practice is suspected to sometimes result in contamination of finished meat by high-risk materials.

Looking Into Our Crystal Ball

I anticipate some additional changes will affect our department in the coming months. We are currently working with USDA to develop a new program to collect tissue samples from cattle across the state for BSE testing at the National Veterinary Services Lab in Ames, Iowa. Such samples have historically been collected at slaughter, but since non-ambulatory, disabled “downer” cattle will no longer be accepted at meat processors, the focus of surveillance must shift to the renderer, where these animals will end up for processing into inedible byproducts. We are looking at a \$56,000 USDA cooperative agreement to fund this program, at least in part.

Our accredited Animal Disease Diagnostics Laboratory has offered our lab capabilities to assist with BSE rapid testing. We already have one of 12 labs approved to use prion tests to detect chronic wasting disease in deer and elk and scrapie in sheep.

With the 2005 consolidation of the Ohio EPA and Health laboratories at our campus with the Animal Disease Diagnostics Lab, we will all be better equipped to respond to animal and human health threats like this.

I expect disposal of these downer animals, which will no longer be accepted at meat processors, to be an issue. We will work with industry to educate them about approved disposal methods. In addition, our lab is in the process of building an alkaline hydrolysis unit, which is the only disposal method capable of destroying prions. It will be invaluable as we conduct surveillance testing for prion diseases.

Ohio is already preparing for the soon-to-be-implemented National Animal ID Program. We are in the process of securing GPS coordinates of each of our farms to help quickly and accurately trace animals back to the farm in response to a food safety concern.

Analysis of the Washington State BSE Response

Over the last few weeks, we learned that the U.S. and Ohio have competent regulatory systems in place to respond quickly to animal disease threats. This was evident in the meat recall, in our ability to adapt to policy changes nearly instantaneously, and in the government's willingness to make consumer-driven changes to assure consumer confidence, both domestic and international, in our food supply.

The events of the last few weeks have taught us that an action plan is invaluable when it's time to respond to domestic and international criticism. We pulled together as federal and state governments and put those plans into motion. And, we've learned that the Ohio Department of Agriculture plays a vital role in safeguarding our food supply.

I've provided folders with some additional background information about BSE, a fact sheet about the human form of this disease, variant CJD, and a copy of my testimony today.

Thank you for your time, Mr. Chairman and Committee members. I welcome any questions or comments you may have.