

WORLD TRADE ORGANIZATION

G/SPS/N/USA/844

23 January 2004

(04-0221)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

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| 1. | Member to Agreement notifying: <u>UNITED STATES</u> If applicable, name of local government involved: |
| 2. | Agency responsible: US Department of Agriculture, Food Safety and Inspection Service |
| 3. | Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Beef cattle intended for slaughter and use as human food |
| 4. | Regions or countries likely to be affected, to the extent relevant or practicable: All trading partners |
| 5. | Title, language and number of pages of the notified document: Prohibition of the Use of Specified Risk Materials for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle: Interim Final Rule (Docket No. 03-025IF) (Available in English, 76 pages) |
| 6. | Description of content: The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations to designate the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum), and dorsal root ganglia (DRG) of cattle 30 months of age and older, and the tonsils and distal ileum of the small intestine (the entire small intestine must be discarded as inedible to effectively ensure that the distal ileum is discarded) of all cattle, as "specified risk materials" (SRMs). The Agency is declaring that SRMs are inedible and prohibiting their use for human food. The Agency is requiring that Federally inspected establishments that slaughter cattle and/or process the carcasses or parts of cattle develop, implement, and maintain written procedures for the removal, segregation, and disposition of SRMs. Establishments must incorporate these procedures into their HACCP plans or in their Sanitation Standard Operating Procedures (Sanitation SOPs) or other prerequisite program. In addition, FSIS is requiring that all non-ambulatory disabled cattle presented for slaughter be condemned. Condemning all non-ambulatory, disabled cattle will ensure that materials that could present a risk to human health, but whose infectivity status cannot be readily ascertained, are excluded from the human food supply. FSIS has defined "non-ambulatory disabled cattle" as cattle 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, fractured vertebral column or metabolic conditions. Exporting countries will be required to adopt these or equivalent measures when producing beef products in establishments certified for export to the United States. FSIS is taking this action in response to the diagnosis on 23 December 2003, by the US Department of Agriculture of a positive case of bovine spongiform encephalopathy (BSE) in an adult Holstein cow in Washington State. This action will minimize human exposure to materials that scientific studies have demonstrated contain the BSE agent in cattle infected with the disease. Infectivity has never been demonstrated in the muscle tissue of cattle experimentally or naturally infected with BSE at any stage of the disease. |

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| 7. | Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests |
| 8. | International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input checked="" type="checkbox"/> World Organization for Animal Health, <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: OIE/TAHC Chapter 2.3.13 |
| 9. | Relevant documents and language(s) in which these are available: Accessible for comment at: http://www.fsis.usda.gov/OPPDE/rdad/FRPubs/03-025IF.htm |
| 10. | Proposed date of adoption: 12 January 2004 |
| 11. | Proposed date of entry into force: 12 January 2004 |
| 12. | Final date for comments: 12 April 2004 Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Address comments to: FSIS Docket Clerk, Docket 03-025IF, Room 102 Cotton Annex, 300 12 th Street, S.W., Washington, D.C. 20250-3700, United States |
| 13. | Texts available from: <input checked="" type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Ms. Julie Morin, US Department of Agriculture, Stop 1027, Washington, DC 20250. Tel: (202) 720-4051, Fax: (202) 690-0677, E-mail: julie.morin@fas.usda.gov |