

# “New FDA Feed Regulations, Renderer Requirements, and Impact on Cattle Producers”

David L. Meeker, Ph.D.  
Senior Vice President  
National Renderers Association



[nationalrenderers.org](http://nationalrenderers.org)

# Renderers

- Process dead cattle, trim, and offal into animal feeds
- Regulated by FDA
- Website with information on the process and a directory of renderers:



[nationalrenderers.org](http://nationalrenderers.org)

# Current Deadstock Disposal

**Table 1. USDA Estimates of Mortality Disposal Methods**

	Dairy <sup>1, 2</sup>		Beef <sup>3</sup>	
	Calves	Cows	Feedlots <sup>4</sup>	Cow/Calf <sup>5</sup>
<b>Buried</b>	35.3	22.7	5.3	33.5
<b>Burned/incinerated</b>	2.8	2.2	0	34.6
<b>Rendered</b>	43.8	62.4	94.1	20.0
<b>Composted</b>	10.1	6.9	0	0
<b>Landfill</b>	2.4	1.9	0.5	4.9
<b>Other</b>	5.6	3.9	0.1	7.0
<b>Total</b>	100	100	100	100

1/. Source: USDA/APHIS, National Animal Health Monitoring System, Dairy 2002

2/. Percent of operations using each disposal method (only data available)

3/. Percent of mortalities disposed by each method

4/. Source: USDA/APHIS, National Animal Health Monitoring System, Feedlot 1999

5/. Source: USDA/APHIS, National Animal Health Monitoring System, Beef 1997

# Government Regulations

## 1997 FDA “Feed Ban” (21 CFR 589:2000)

- No material from cows, sheep and goats can be fed to cows, sheep and goats. (No ruminant products fed to ruminants).
- Inspections and audits by FDA concluded there is greater than 99% compliance.

Federal Register / Vol. 62, No. 117 / Wednesday, June 18, 1997 / Notices

33095

**DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**Food and Drug Administration**

[Docket No. 97D-0224]

**Substances Prohibited From Use in  
Animal Food or Feed; Animal Proteins  
Prohibited From Ruminant Feed; Small  
Entity Compliance Guide; Availability**

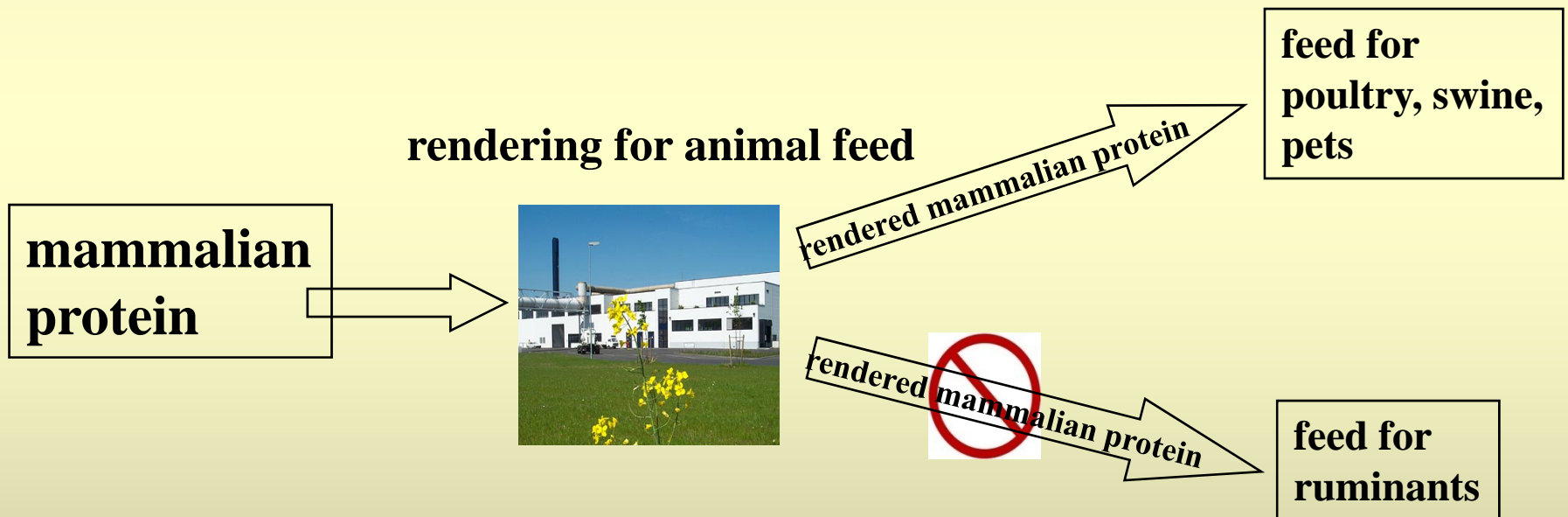
not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute, regulations, or both.

Dated: June 10, 1997.  
William K. Hubbard,  
*Associate Commissioner for Policy  
Coordination.*

Paperwork@hcfa.gov, or call the Reports Clearance Office on (410) 786-1326.

Written comments and recommendations for the proposed information collections must be mailed within 60 days of this notice directly to the HCFA Paperwork Clearance Officer designated at the following address: HCFA, Office of Financial and Human Resources, Management Analysis and Planning Staff. Attention: Louis Blank.

# 1997 BSE Feed Rule (Feed Ban)



# Government Regulations

## 2008 Amendments to the FDA “Feed Ban”

- Brain and spinal cord from cattle 30 months of age and over must be removed from animal feed.

22720

Federal Register / Vol. 73, No. 81 / Friday, April 25, 2008 / Rules and Regulations

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 589**

[Docket No. 2002N-0273] (Formerly Docket No. 02N-0273)

RIN 0910-AF46

**Substances Prohibited From Use in Animal Food or Feed**

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

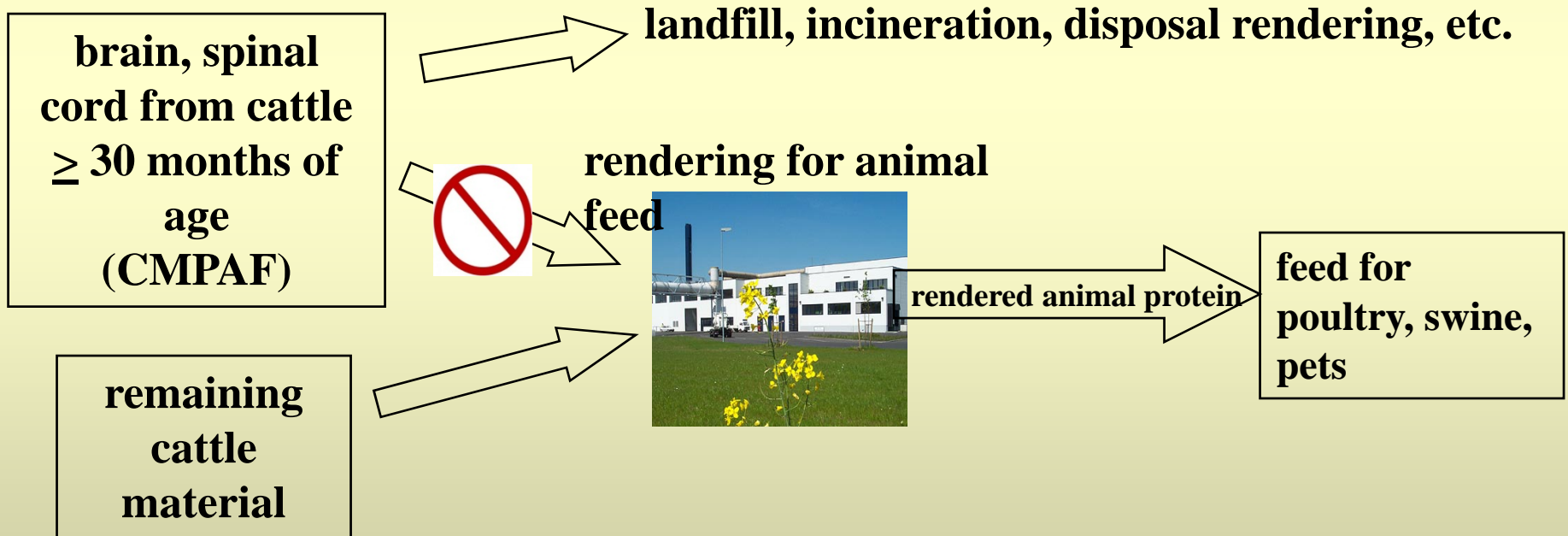
**SUMMARY:** The Food and Drug Administration (FDA) is amending the agency's regulations to prohibit the use of certain cattle origin materials in the food or feed of all animals. These

- B. Requirements
- C. Recordkeeping and Access Requirements
- D. Changes to § 589.2000—Animal Proteins Prohibited in Ruminant Feed
- IV. Analysis of Economic Impacts
  - A. Summary of Final Regulatory Impact Analysis
  - B. Cost Effectiveness of Final Rule and Alternatives
  - C. Need for Regulation
  - D. Benefits
  - E. Costs
  - F. Government Costs
  - G. Sensitivity Analysis
  - H. Regulatory Flexibility Analysis
- V. The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)
- VI. Paperwork Reduction Act of 1995
- VII. Environmental Impact
- VIII. Federalism
- IX. References
- I. Introduction

if it occurs at all. Scientists believe that the primary route of transmission requires that cattle ingest feed that has been contaminated with a sufficient amount of meat and bone meal (MBM) from an infected animal. This route of transmission can be prevented by excluding potentially contaminated materials from ruminant feed.

Scientific and epidemiological studies have linked variant Creutzfeldt-Jakob disease (vCJD) in humans to exposure to the BSE agent, most likely through human consumption of beef products contaminated with the agent. As of February 2007, 165 probable and confirmed cases of vCJD have been reported in the United Kingdom. It is believed that in the United States, where measures to prevent the introduction and spread of BSE have been in place for some time, there is far less potential for human exposure to the

# Enhancing The Feed Ban



# Tallow Rules – 21 CFR 589.2000

- Tallow for use in animal feed

<b>SOURCE OF TALLOW</b>	<b>INSOLUBLE IMPURITIES LEVEL</b>	<b>FEED USE</b>	<b>CAUTION STATEMENT REQUIRED</b>	<b>REGULATION</b>
<b>any source (non-CMPAF or CMPAF)</b>	<b>&lt; or = 0.15%</b>	<b>allowed in all animal feeds</b>	<b>None</b>	<b>21 CFR 589.2000 and 589.2001</b>
<b>non-CMPAF</b>	<b>&gt; 0.15%</b>	<b>allowed in all non-ruminant feeds</b>	<b>“do not feed to cattle or other ruminants”</b>	<b>589.2000</b>
<b>CMPAF</b>	<b>&gt; 0.15%</b>	<b>not allowed in animal feed</b>	<b>“do not feed to animals”</b>	<b>589.2001</b>

# The New Feed Rule Places Requirements on Renderers

Cattle materials intended for animal feeds must have prohibited material (CMPAF) removed and separated

# Raw Material Requirements

Brain and spinal cord from cattle 30 months or older must be excluded



Over 30 Months of Age

Under 30 Months of Age

# Segregation of brain and spinal cords from other rendered material



# Deadstock Renderers' Challenge is More Difficult



THUS...

Producers must call for service  
immediately after animal dies

# Requirements on Renderers

Renderers that process cattle materials for animal feed must document that such materials are free of CMPAF

# Age Certification Needed

Producers that have age documentation will be asked to sort and mark carcasses over and under 30 months of age

# THUS...

Producers can keep costs down by furnishing age certification to renderer

Your renderer can provide a form

Example  
Form-

We'll go  
through it...  
one item at  
a time

## ANNUAL CATTLE MORTALITY AGE WARRANTY

The expanded FDA Feed Rule (21CFR.389.2001) prohibits the use of certain cattle materials in food or feed of all animals. Among other things, prohibited materials include (1) the entire carcass of all cattle 30 months and older not inspected and passed for human consumption unless the brain and spinal cord have been removed from such cattle and (2) the entire carcass of cattle that test positive for BSE. Collectively these materials are called "Cattle Material Prohibited from Animal Feed" (CMPAF). Renderers that process cattle materials to be used as feed ingredients must be able to document that such materials are free of CMPAF. Consequently, \_\_\_\_\_

(renderer) must determine the age of the cattle they pick up either according to the owners' records or by dentition (using the dental pattern to estimate age). Brain and spinal cord must be removed from cattle aged 30 months and older—SO PLEASE CALL FOR SERVICE AS SOON AS AN ANIMAL DIES TO MINIMIZE DETERIORATION OF THE CARCASS WHICH MAKES SUCH REMOVAL DIFFICULT OR IMPOSSIBLE.

1. Do you raise, feed or own cattle that are 30 months of age or older?  Yes  No  
\* If answer is no, skip the remaining questions, sign, date and return this certification.
2. Do you have records to determine and verify age of  some or  all (check appropriate box) cattle in your herd?  
 Yes  No \* Records verifying age must be kept for 1 year.
3. For cattle having records to determine age, do you agree to segregate and mark cattle carcasses as under 30 months of age or 30 months of age and older?  Yes  No
  - a. To mark carcasses, use an orange paint stick. If orange is not available, another color that is easily visible on your cattle may be used.
    - i. For each carcass 30 months of age or older, draw an "X" on the side.
    - ii. For each carcass less than 30 months of age, draw a "U" on the side.
    - iii. If age is uncertain or unknown, do not mark the carcass.

\_\_\_\_\_ (renderer) will assume the age cannot be documented from records and/or such records are not maintained for at least one year for any cattle carcasses left unmarked. These carcasses may be assessed a higher fee to defray additional labor costs associated with dentition and handling.

By signing this Certification, the Undersigned understands and is aware that this Certification constitutes a statement that is subject to inspection and verification by the US FDA and that if the Undersigned and/or the Supplier provides any false or inaccurate information in this form or allows CMPAF to be commingled with non-CMPAF materials for delivery to or acceptance by \_\_\_\_\_ (renderer), the Undersigned, and/or Supplier may be subject to civil and criminal penalties under 18 U.S.C. Section 1001(a) (2) & (a) (3), which states that:

[Whoever, in any matter within the jurisdiction of the executive . . . branch of the Government of the United States, knowingly and willfully - (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false fictitious or fraudulent statement . . . shall be fined under this title, imprisoned not more than 5 years . . . or both.

The undersigned, as owner or a representative of the owner, warrants that the information you will provide during each call for service will be true and agrees to immediately notify \_\_\_\_\_ (renderer) of any changes that would make their statements false, misleading, or inaccurate. Your business may bear monetary liability if found responsible for a product recall. The following information must be legible.

Name (print): \_\_\_\_\_ Business: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

Email: \_\_\_\_\_

# Age Certification Needed

Do you raise, feed or own cattle that are 30 months of age or older?

✓ Yes

✓ No\*

\* *If answer is no, skip the remaining questions, sign, date and return this certification.*

# Age Certification Needed

Do you have records to determine and verify age of cattle in your herd?

✓ Yes \*

✓ No

\* *Records verifying age must be kept for 1 year.*

# Age Certification Needed

Do you have records to determine and verify age of cattle in your herd?

- ✓ Records for some cattle
- ✓ Records for all cattle

*Check whether you have some or all records*

# Age Certification Needed

For cattle having records to determine age, do you agree to segregate and mark cattle carcasses as under 30 months of age or 30 months of age and older?

✓ Yes

✓ No

# Marking Carcasses for Age

To mark carcasses, use an orange paint stick. If orange is not available, another color that is easily visible on your cattle may be used.

# Marking Carcasses for Age

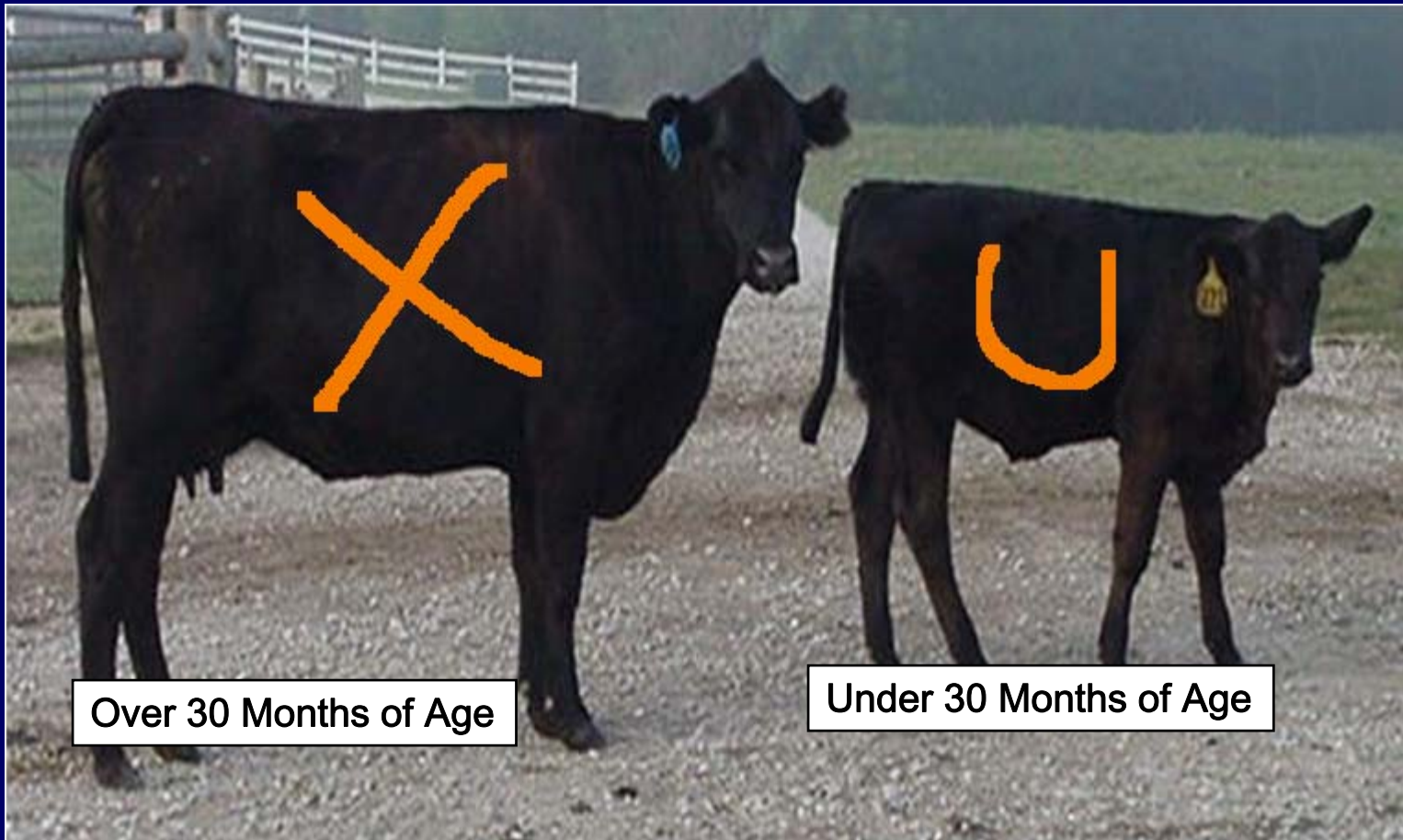
For each carcass 30 months of age or older, draw an “X” on the side.

# Marking Carcasses for Age

For each carcass less than 30 months of age, draw a “U” on the side.

# Raw Material Requirements

Brain and spinal cord from cattle 30 months or older must be excluded



Over 30 Months of Age

Under 30 Months of Age

# Marking Carcasses for Age

If age is uncertain or unknown, do not mark the carcass.

# Age Certification Needed

Renderers must assume the age cannot be documented from records and/or such records are not maintained for at least one year for any cattle carcasses left unmarked.

# Age Certification Needed

These carcasses may be assessed a higher fee to defray additional labor costs associated with dentition and handling.

# Age Certification Needed

You must be truthful in declaring age of dead cattle

# Signature and Critical Information

*The following information must be legible.*

Name \_\_\_\_\_ Business: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Address: \_\_\_\_\_

Email: \_\_\_\_\_

# Be Aware of Legal Obligations

This constitutes a statement that is subject to inspection and verification by the U.S. FDA

# Be Aware of Legal Obligations

Undersigned, and/or Supplier may be subject to civil and criminal penalties under 18 U.S.C. Section 1001(a) (2) & (a) (3),

# Be Aware of Legal Obligations

Whoever....makes or uses any false writing or document knowing the same to contain any materially false fictitious or fraudulent statement . . . shall be fined under this title, imprisoned not more than 5 years . . . or both.

# Other Disposal Alternatives

Burial

Landfill

Composting

Incineration

Alkaline Hydrolysis

Rendering is the most suitable technology to protect human and animal health and the environment

# Expected Impact of 2008 Rule on Disposal

- CMPAF from slaughter: 28 million pounds
  - initially, disposal most likely to be primarily by landfill
- Cattle mortalities: forecast of 26.2 – 41.6% decrease in cattle and calves sent to rendering
  - this means 369 million – 577 million lbs. will have to be disposed of by some means other than rendering for animal feed use

# Questions?

**CVM BSE web page:**

**<http://www.fda.gov/cvm/bsetoc.html>**

**For further questions contact:**

**Shannon Jordre, Division of Compliance**

**[shannon.jordre@fda.hhs.gov](mailto:shannon.jordre@fda.hhs.gov) phone 240-276-922**

**OR**

**Burt Pritchett, DVM, Division of Animal Feeds**

**[burt.pritchett@fda.hhs.gov](mailto:burt.pritchett@fda.hhs.gov) phone 240-453-6860**

David L. Meeker

National Renderers Association

801 North Fairfax Street, Suite 205

Alexandria, VA 22314

Phone: 703-683-2633

Email: [dmeeker@nationalrenderers.com](mailto:dmeeker@nationalrenderers.com)



[nationalrenderers.org](http://nationalrenderers.org)