

Response: FDA Docket ID FDA-2020-P-2360

January 2, 2021

Association for Truth in Pet Food – a pet food stakeholder organization representing pet food consumers, and TruthaboutPetFood.com provides comment on “Request FDA-CVM to issue an official regulation on the matter of Animals That Have Died Other Than Slaughter, For Use in FDA Regulated Animal Feed, Dog, & Cat Foods” FDA Docket ID FDA-2020-P-2360.

We are in agreement with the petition and request FDA to promptly issue a public rule regarding animals that have died other than slaughter for use in FDA regulated animal feed, dog and cat foods.

In October of 2018, Dr. Steven Solomon Director of CVM stated to an industry audience *“Most of us probably think that pentobarbital comes from a couple of bad actors that use a euthanized animal when they know they aren’t really supposed to. New evidence is showing that it may be a much more pervasive problem throughout the animal food supply than originally thought, and we have reason to believe rendered products can be a source for pentobarbital, if not controlled.”*

This statement alone is sufficient evidence to validate the need for an FDA regulation regarding the pet food industry’s use of (illegal per federal law) animals that have died other than by slaughter ingredients. We can only surmise the *“problem”* of non-slaughtered euthanized animals in pet food is *“pervasive”* because FDA has continued to refuse to issue a public rule on their allowed use of federally defined illegal ingredients (sourced from diseased animals and animals that have died other than by slaughter) in pet foods/animal feeds.

FDA stated in Response to Petition FDA-2016-P-3578: *“Congressional focus on food safety issues such as the presence of pathogens in human and animal food and melamine in pet food led to the passage of the FDA Food Safety Modernization Act (FSMA) in 2011 and FDA’s subsequent publication and implementation of a new animal food regulation: ‘Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals’ at 21 CFR part 507. This comprehensive regulation addresses biological, chemical, and physical hazards in animal food, including the pathogens and chemical residues that can result from using tissues from animals that have died otherwise than by slaughter.”* Based on this FDA response, we (safely) assume FDA will dismiss Petition FDA-2020-P-2360 using the same grounds. Preemptively, we provide the following as evidence 21 CFR part 507 is not properly controlling pet food hazards.

21 CFR 507.33 Hazard analysis (b) states (bold added): *“The hazard identification must consider: (1)(ii) Chemical hazards, including radiological hazards, including radiological hazards, sub-stances such as pesticide and drug residues, natural toxins, **decomposition**, unapproved food or color additives, and nutrient deficiencies or toxicities (such as inadequate thiamine in cat food, excessive vitamin D in dog food, and excessive copper in food for sheep).”*

On the following 2 pages we provide images of rendering facilities provided by Google Earth:

Rendering facility in Iowa



Rendering facility in California



As evidenced in these photos, decomposition of raw material is being ignored. Animal carcasses hauled in unrefrigerated trailers, and bloody carcass parts dumped on the ground exposed to sunlight are decomposing, thus this material not only violates the Federal Food Drug and Cosmetic Act but FSMA Hazard Controls as well. This evidences a need for a public rule regarding this material.

Lastly, we agree with Petition FDA-2020-P-2360 based on the known human health risk of non-slaughtered animal material. The employees of rendering facilities and pet food manufacturing facilities face a significant risk to multiple health conditions including Salmonella and tularemia from exposure to non-slaughtered animal material and rendered ingredients sourced from non-slaughtered animal material. We previously provided FDA with evidence of multiple tularemia diagnosed cases of employees of pet food manufacturing, confirmed by CDC and local Health Department to have been acquired by exposure to rendered ingredients at the pet food plant. The risk to these employees in facilities all across the US are completely ignored in FDA's existing 'Hazard Analysis' rules.

Representing Pet Food Consumers,

Susan Thixton

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