

**FOOD INDUSTRY CODEX COALITION**  
*Advancing Sound International Food Policy Through Science*

---

March 14, 2008

The Honorable Dr. Karen Hulebak  
U.S. Manager for Codex  
U.S. Department of Agriculture  
4861 South Building  
1400 Independence Ave., S.W.  
Washington, DC 20250-3700

**RE: Remarks on CL 2007/19 – CAC  
Requests for Proposals for Future Work by Codex on Animal Feeding and  
Information on the National Experience in the Implementation of the Codex  
Code of Practice in Good Animal Feeding (CAC/RCP 58-2004)**

Dear Dr. Hulebak:

The Food Industry Codex Coalition (FICC) appreciates the opportunity to address the Codex Alimentarius Commission's request for comments in Circular Letter 2007/19-CAC on proposals for future work on animal feeding, as well as to provide information on the U.S. experience in implementing the existing Codex Code of Practice on Good Animal Feeding.

FICC is a coalition of more than 70 trade associations and companies representing the broad spectrum of the food and feed chain. FICC's purpose is to advance international food policy based on science, within Codex and other venues. The undersigned organizations share the views expressed herein.

The Code of Practice on Good Animal Feeding that was adopted in 2004 after five years of arduous deliberations by the *Ad Hoc* Intergovernmental Task Force represented a landmark achievement. The Code embodies sound, science-based feed safety principles to be observed by all sectors of the feed, feed ingredient and feeding continuum involved in the feeding of food-producing animals, and are consistent with Codex's mandate to protect human health.

FICC urges the United States to recommend to the Codex Alimentarius Commission that it defer consideration of proposals for future work on animal feeding for the following reasons:

1. First and foremost, it is premature to consider such proposals because the process of implementing the new Code just now is beginning. The first tangible document to assist Codex member nations in implementing the new Code worldwide – a Compliance Manual – is being finalized this spring by the International Feed Industry Federation (IFIF) in concert with the Food and Agricultural Organization (FAO). In

addition, IFIF and FAO are collaborating on information and education initiatives in foreign countries to acquaint various world governments and affected feed and feeding sectors about the Code and its recommendations. Sufficient time is needed to allow member countries to develop a sufficient feed safety code after these information and educational efforts have been given an opportunity to work. We submit that it is premature to develop additional terms of reference with respect to this Code of Practice until such time as it has been implemented and a more thorough evaluation can be made of what, if any, shortcomings may exist.

2. We believe it is inappropriate for Codex to expend scarce financial resources of member countries on additional animal feeding-related activities, particularly before the new Code has been given a chance to be implemented and work in a representative array of countries. This is especially true given the fact that there are other Codex activities already underway which need that funding.
3. The FICC has evaluated carefully the final “***Report of the FAO/WHO Expert Meeting on Animal Feed Impact on Food Safety***” issued in January 2008, and believes that its recommendations support the position that reestablishment of a task force on animal feeding is unnecessary at this time. Indeed, the Expert Panel’s first recommendation is that the existing Code of Practice on Good Animal Feeding be “promoted in order to minimize risks,” which is precisely the objective of the joint IFIF-FAO Compliance Manual and education/information initiatives referenced previously. Most other recommendations in the FAO/WHO Expert Panel’s report are outside the scope of Codex. But even the few recommendations that reference Codex – such as the development of a Code of Practice for exchanging information during feed safety incidents – is more appropriately a function of FAO since it addresses when incidents should be reported to the competent government national authority by the affected feed and feeding entities within their respective countries.
4. We believe Codex should evaluate fully the cross-cutting work of other Codex committees and task forces that may have application or relevance to animal feed safety before authorizing new terms of reference on animal feeding. In this regard, the FICC repeatedly has expressed concerns about the process of using task forces rather than existing standing committees to perform the work of Codex.
5. Anticipated proposals or project documents that may be posited by other countries – on such issues as genetically modified organisms, low-level antimicrobial growth promotants and other issues related to feed – already are being addressed by other standing Codex committees.

FICC also would like to take this opportunity to reiterate its previously articulated opposition to proposals from other countries that we anticipate may resurface in response to CL 2007/19-CAC:

- Developing Negative List of Feed Ingredients Unacceptable in Animal Feeding within CODEX: The maintenance of positive and negative lists demands resources that generally are unavailable to Codex committees. Lists are

particularly inappropriate within Codex committees and task forces that are of limited duration. To adhere to a science-based process, Codex committees also must have access to appropriate authoritative bodies for risk analysis.

Consequently, lists within Codex should only be established after: 1) a clear set of evaluation criteria can be established, with the understanding that these criteria are to be subject to revision as scientific and technical advances dictate; 2) a clear and transparent process for undertaking risk evaluation or risk assessment is set forth; 3) an expert body is identified with the appropriate expertise and objectivity to conduct such evaluations based upon sound science; and 4) a timely process for modifying lists (i.e., adding or removing substances to positive and negative lists) is established to quickly react to new scientific information.

- Development of Detailed Rules for Rapid Alert Systems in Feeds: The development of Rapid Alert Systems is outside the scope of Codex. This subject should continue to be addressed by country-to-country arrangements through agreed-upon certification and inspection systems.
- Undesirable Substances Listing, Such As Heavy and Toxic Metals, Mycotoxins, Dioxins, Furans and Dioxin Like PCBs, Pesticides and Zoonotic Pathogenic Agents: During the deliberations of the *Ad Hoc* Intergovernmental Task Force on Animal Feeding, the Codex Secretariat informed the delegates that many of the suggested undesirable substances are addressed by other Codex committees, such as Pesticide Residues and Food Additive and Contaminants. We continue to support allowing existing Codex committees complete this work.
- Application of HACCP System in the Processing of Feed and Feed Ingredients: Codex and the United States previously have taken a position – correctly in our view – that HACCP principles are one of several approaches that can be used to produce safe feed for food-producing animals. The Code of Practice on Good Animal Feeding provides for the use of good manufacturing practices (GMPs) and, “where applicable” HACCP principles” to control “to the extent reasonably achievable” hazards that may affect the safety of foods from animal origin. [*Emphasis added.*] No other standing Codex Alimentarius Committee or Task Force includes a HACCP annex; instead, they reference the General Principles of Food Hygiene. Thus, we believe the additional HACCP Annex is unnecessary and inconsistent with Codex practices.

Finally, with respect to the circular letter’s request for information concerning implementation of the Code of Practice on Good Animal Feeding:

1. The United States has implemented current good manufacturing practice (CGMP) regulations for medicated feed that apply to commercial and on-farm feed manufacturers.
2. The U.S. Food and Drug Administration (FDA) has undertaken a comprehensive, science- and risk-based Animal Feed Safety System initiative to identify and assess

physical, chemical and microbiological hazards that may exist in feed and feed ingredients, and announced its intent to develop process-control regulations where warranted to mitigate the adverse effects of such hazards.

3. FDA has implemented facility registration and recordkeeping requirements under the Bioterrorism Act of 2002 that, among other things, require product tracing consistent with the Code's recommendation (immediate previous source and immediate subsequent recipient, as well as the transporter utilized).
4. The Association of American Feed Control Officials – the professional organization of federal and state feed regulatory agencies – is finalizing CGMPs for non-medicated feed and feed ingredients.

In closing, the FICC encourages the U.S. government to employ a strategy of consensus-building among like-minded delegations from other nations in responding to CL 2007/19-CAC, as it has successfully in the past. We pledge our support in doing likewise among NGOs of our respective industry organizations.

Thank you for considering FICC's views in opposing the resumption of work within Codex on good animal feeding practices at this time.

Sincerely,

**American Feed Industry Association**  
**American Meat Institute**  
**Animal Health Institute**  
**Corn Refiners Association**  
**Grocery Manufacturers Association**  
**National Grain and Feed Association**  
**Pet Food Institute**