

CHAPTER 40**(HCR 106)**

A CONCURRENT RESOLUTION urging the United States Food and Drug Administration (FDA) to delay the implementation of its final rule amending 21 C.F.R. 589 for a minimum of six months in order to reexamine the issue of carcass disposal and give states time to create disposal systems that meet the needs of producers, processors, renderers, and the general public.

WHEREAS, animals used in the production of milk, meat, and fiber, as well as animals used in the equine industry, are essential components of agriculture in the United States; and

WHEREAS, no matter how well animals are managed, some will die from a variety of causes, resulting in carcasses that will need to be disposed of. In addition, the normal processing of meat animals creates waste products that need to be disposed; and

WHEREAS, in April 2008, the FDA issued a final rule that would prohibit any material from carcasses of cattle that are 30 months of age or older from being used in animal food or feed unless the brain and spinal cord tissues have been removed. This prohibition, which is scheduled to go into effect April 2009, is intended to both reduce the risk of transmitting Bovine Spongiform Encephalopathy (Mad Cow Disease) and to reopen markets for beef exports to certain foreign countries; and

WHEREAS, while this body supports the concepts of food safety and increasing United States exports, it is concerned about the financial effects this rule will have on deadstock haulers, renderers, and livestock producers and the environmental effects this rule will have on the rural areas of our state; and

WHEREAS, a lack of viable, affordable, and environmentally sound processes for disposing of 670 million pounds of animal remains will result in a severe economic challenge for animal operations, and could present potential environmental hazards such as groundwater and surface water contamination, odor problems, and spread of disease from improper disposal; and

WHEREAS, improper disposal of animal remains will necessitate an increase in enforcement efforts by state agencies, resulting in additional costs to agency budgets that are already strained;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

➔Section 1. The United States Food and Drug Administration is urged to delay the implementation of its final rule amending 21 C.F.R. 589 for a minimum of six months in order to reexamine the issue of carcass disposal and to give states time to create disposal systems that meet the needs of producers, processors, renderers, and the general public.

➔Section 2. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to the Commissioner of the United States Food and Drug Administration and to the members of the Kentucky Congressional Delegation.

Signed by the Governor March 20, 2009.