



**CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA**

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November 9, 2004

Dear Legislative Council Panel Members,

In light of the Food Safety and Environmental Hygiene Panel's meeting scheduled for Tuesday, November 9, I would like to share some important background information with Panel Members regarding BSE and U.S. safety measures now in place.

We understand and appreciate Hong Kong's high standards applied to food safety. The United States has always placed a high priority on assuring that the food we export to Hong Kong is safe. We believe all the steps taken by the United States, including the enhanced control and surveillance measures now in place, ensure the safety of U.S. beef. We hope the Panel will look favorably on re-opening the market to U.S. beef and beef products.

Thank you for your consideration.

Sincerely,

James R. Keith
Consul General

Legislative Council Secretariat
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Central, Hong Kong

**BACKGROUND INFORMATION FOR PANEL ON FOOD SAFETY AND
ENVIRONMENTAL HYGIENE
MEETING ON TUESDAY, 9 NOVEMBER 2004 AT 2:30 P.M.**

AGENDA ITEM V: Lifting the ban on importation of beef from countries infected with Bovine Spongiform Encephalopathy (BSE)

As indicated in LC Paper No. CB(20 149/04-05(07)), the U.S. government and the Food and Environmental Hygiene Department have been in on-going discussions regarding the lifting of the temporary ban on importation of U.S. beef which was imposed in December 2003 following a positive test result for bovine spongiform encephalopathy (BSE) on a 7 year old dairy cow imported from Canada. These discussions have included three separate visits by the Under Secretary of Farm and Foreign Agricultural Services (January, April and October 2004); a visit by U.S. government technical experts to Hong Kong in July 2004; and an extensive and on-going exchange of information regarding BSE surveillance and control measures in the U.S.

The U.S. government appreciates the cordial and professional working relationship that exists between our two governments and our regulatory officials and looks forward to a favorable decision regarding the lifting of temporary restrictions on the importation of U.S. beef into Hong Kong in the near future.

Outlined below is a brief overview of the actions taken in the U.S. to assure the safety of U.S. beef and beef products consistent with international guidelines including World Organization for Animal Health (OIE) and the World Health Organization (WHO). The actions meet or exceed those recommended for a country designated as a "moderate" risk for BSE in accordance with OIE guidelines.

- Since 1989, USDA has banned imports of live ruminants and most ruminant products from the United Kingdom and other countries having high rates of BSE infectivity.
- In 1997, the U.S. Food and Drug Administration (FDA) prohibited the use of most mammalian protein in the manufacture of animal feed intended for cattle. The fact that the feed ban has been in place for seven years suggests that any risk of the national herd becoming infected is nearly non-existent and on the decline.
- Immediately after the positive case in December 23, 2003 to protect human health, the U.S. on December 30, 2003 prohibited the use of specified risk materials from being used as food for human consumption.
- Further, to enhance BSE surveillance, USDA initiated an expanded surveillance program in June 2004, which will ultimately test 268,500 animals from the targeted "high risk" cattle population. The program is designed to detect BSE even if there were only five positive animals in the population. Since June 2004 the enhance surveillance program has tested 99,192 animals with no positive

cases being identified. (In contrast, USDA tested over 20,000 animals annually in previous years, a sample size designed to detect the disease in one animal per million, which is 47 times the international standard for low-risk countries.)

The U.S. continues to maintain that is a “provisionally-free” BSE country in light of the fact that the single positive case found in the State of Washington in December 2003 originated in Canada; the OIE recognizes that the U.S. has yet to find an indigenous case of BSE; the fact that the U.S. has had a ban on ruminant to ruminant feeding since 1997; and the fact that our expanded BSE surveillance program has not detected another positive case after testing over 99,192 animals since it was implemented in June 2004.

Under a “provisionally free” or “minimal” risk categorization, the OIE would regard trade in bone-in and boneless beef and beef products as produced under the current U.S. beef production and BSE risk management system as safe.

Even if the United States were to be considered a “Moderate” risk country for BSE, our bone-in and boneless beef and beef products would still qualify for safe trade under OIE BSE guidelines, provided that SRMs are removed from all cattle over 6 months of age.

Over 84 countries currently allow imports worth over \$4.5 billion in U.S. beef and beef products. The countries are listed below:

1) Countries and country groups open to selected U.S. beef and beef products, but with changes in their import policies, i.e. requiring removal of SRMs.

| | |
|---------------------|----------------------|
| The Bahamas | Israel |
| Bahrain | Macedonia (Skopje) |
| Barbados | Mexico |
| Belize | Netherlands Antilles |
| Bulgaria | Nicaragua |
| Canada | Nigeria |
| Cayman Islands | Norway |
| Costa Rica | Philippines |
| Dominican Republic | Romania |
| El Salvador | Saudi Arabia |
| European Union – 25 | Suriname |
| Guatemala | Switzerland |
| Honduras | Trinidad and Tobago |
| Indonesia | Turkey |

2) Countries that did not request changes to their respective import requirement policies in place prior to December 23:

| | |
|--------|----------|
| Ghana | Iceland |
| Guyana | Pakistan |
| Haiti | Senegal |

3) Countries that never notified USDA/FSIS regarding any special import requirements. These countries accept FSIS' Export Health Certificate, form 9060-5, as written prior to December 2003.

| | |
|-------------------------|--------------------------------|
| Angola | Georgia; Republic of |
| Bangladesh # | Guinea |
| Belarus | Republic of Kyrgyzstan |
| Bermuda # | Leeward-Windward Islands |
| British Pacific Islands | Marshal Islands |
| Burkina | Federated States of Micronesia |
| Cambodia | Namibia |
| Congo (Brazzaville) | Other Pacific Islands; NEC |
| Cote d'Ivoire | Palau |
| Equatorial Guinea | Sierra Leone |
| French Pacific Islands | Tunisia # |
| French West Indies | Turks and Caicos Islands # |
| Gabon | Yemen |

In addition, Japan, a \$1.4 billion market for U.S. beef and beef products has recently agreed to lift its temporary restrictions on U.S. beef and beef products. Similarly, Taiwan, a \$76 million market, has agreed in principle to lift its temporary restrictions following a technical review team visit to the U.S. next week.

An important component of the Japan agreement is recognition in accordance with OIE and WHO guidelines that once high risk parts, which are defined as specified risk materials (SRMs) are removed from the animal, the meat is safe for human consumption. In that regard, in accordance with the terms of the market opening agreement with Japan, Japan will continue to allow importation of U.S. beef and beef products even if the U.S. were to find another single positive case or several cases of BSE in the future.

In accordance with OIE and WHO guidelines the key to assuring that beef and beef products are safe, even if they originate from an animal with BSE, is to assure that the SRMs are hygienically removed. The U.S. has since January 2004 banned all SRM from the human food chain. Thus, the U.S. is in full compliance with international guidelines and recommendations regarding BSE surveillance and control measure needed to assure the safety of U.S. beef and beef products.

BSE QUESTIONS AND ANSWERS

The Hong Kong government imposed a temporary ban on importation of red meat (beef) from the United States on December 24, 2003 when the United States reported to the OIE that a dairy cow in the State of Washington had tested positive for bovine spongiform encephalopathy (BSE). Prior to the temporary ban on U.S. red meat, Hong Kong imported over U.S. \$80 million of high quality red meat from the U.S. annually.

The following set of questions and answers was prepared to facilitate understanding of BSE, current OIE standards regarding importation of beef and beef by-products from countries that have reported BSE cases, and U.S. control and surveillance measures that assure U.S. beef is safe to eat.

What is BSE?

- Bovine Spongiform Encephalopathy (BSE) is a disease which causes the deterioration of brain cells in cattle. It is caused by the accumulation of abnormal proteins in brain cells. These "prions" build up in the brain cells and central nervous systems eventually causing death.
- BSE is found in the central nervous system (eg. brain, spinal cord, etc) and some lymphatic tissues (distal ileum, tonsils).
- BSE is not found in beef meat.
- BSE is not communicable. It does not spread like viruses.
- BSE is contracted by cattle consuming infected tissues from sick animals.
- BSE is an animal, not a human ailment.

What causes BSE in cattle?

- There is no scientific evidence that shows BSE can be spread by contact between unrelated adult cattle or from cattle to other species.
- There is some evidence suggesting maternal transmission may occur at extremely low levels.
- Cattle can become infected with BSE by eating feed contaminated with the infectious BSE agent. This is why in 1997 the U.S. Food and Drug Administration prohibited the use of most mammalian protein in the manufacture of animal feed intended for cows and other ruminants. For more information on the feed ban, please visit the U.S. Food and Drug Administration's website at www.fda.gov.

What is the link between BSE and vCJD?

- Scientists associate BSE with variant Creutzfeld-Jakob Disease (vCJD).
- vCJD is a rare and fatal human neuro-degenerative condition that was first described in March 1996.

- Research suggests that humans can contract vCJD by ingesting tissues from BSE infected animals.

How many countries currently have currently notified the OIE of having identified BSE in their domestic livestock?

Since 1989 twenty-two countries have reported over 188,000 cases of BSE to the OIE, with the United Kingdom (183,357), Ireland (1,390), France (891), Portugal (875), Switzerland (453), Spain (404), Germany (305) and Italy (117) accounting for most of the reported cases.

In 2003, 13 different countries reported 682 cases, including the United Kingdom (228), Ireland (183 cases), France (137), Germany (54), Italy (29), Netherlands (19), Belgium (15), Poland (5), Czech Republic (4), Japan (4), Denmark (2) and Canada (2)*.

*The OIE website notes that “1 case was diagnosed in Canada in May 2003 + 1 case diagnosed in the United States of America in December 2003 and confirmed as having been imported from Canada”.

When Hong Kong residents travel to Europe, Japan and North America are they at risk of contracting vCJD from eating red meat from BSE infected cattle?

No, as long as they do not eat specified risk material (SRMs) i.e. the brain, eyes, spinal cord, distal ileum or mechanically separated meat from the skull and vertebral column from a BSE infected animal. In the United States, SRMs are banned from the food chain.

What is the OIE?

The World Organization for Animal Health, better known as the OIE, is an intergovernmental organization created in by international agreement on 25 January 1924. It currently has 166 member countries. The organization’s mission is to ensure transparency in the global animal disease situation, collect and disseminate scientific information, provide expertise, and within its mandate under the World Trade Organization’s Sanitary and Phytosanitary Agreement (SPS), safeguard world trade by publishing health standard for international trade in animals and animal products.

What does the OIE say regarding importing beef and beef by-products from countries that have reported the presence of BSE?

The OIE is very clear that the mere presence of BSE in a country’s cattle herd does not justify importing countries banning imports of beef and beef by-products. Chapter 2.3.13 recommends what countries should do to manage the human and animal health risks associated with the presence of BSE agent in cattle. It outlines specific risk classifications for countries or zones – BSE free, provisionally free, minimal risk,

moderate risk, and high risk. For each risk classification, it recommends specific actions that the country should attest to in order to export.

For example, when importing fresh meat and meat products from a country or zone with a moderate BSE risk, OIE recommends that the importing country should require that the exporting country attest that – (1) the feeding of ruminants with meat-and-bone meal and greave derived from ruminants has been banned and the ban has been effectively enforced; (2) ante-mortem inspections is carried out on all bovines; (3) cattle from which the meat or meat products destined for export originate were not subjected to stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity or to a pithing process; and (4) the fresh meat and meat products do not contain brain, eyes, spinal cord, distal ileum or mechanically separated meat from skull and vertebral column from cattle over 6 months of age.

What safeguards are in place in the United States to assure that red meat (beef) exported to Hong Kong is safe?

There are three major components to the U.S. BSE surveillance and control efforts.

- 1997 feed ban banning ruminant to ruminant feeding to reduce likelihood of introduction and spread of BSE in the national herd.
- BSE surveillance directed at testing the high risk population for the presence of BSE prior to slaughter.
- SRM removal of to assure that the meat provided to consumers is safe.

What has the U.S. done to further reduce the risk to consumers of consuming SRMs and meat from BSE infected animals?

On January 12, 2004 USDA's Food Safety and Inspection Service –

- Banned SRMs from the food chain.
- Banned the use of air injection/refraction stunning methods.
- Banned non-ambulatory animals from the food chain.
- Mandated test and hold procedures for animals identified for BSE tests.

What if the U.S. through its expanded surveillance program, identifies new cases of BSE, is meat from the U.S. still safe to eat?

Yes. The U.S. requires that specified risk material must be removed. By banning SRMs—skull, brain, trigeminal ganglia, eyes, portions of the vertebral column, spinal cord and dorsal root ganglia from cattle aged 30 months or older, and tonsils and the small intestine of cattle of all ages—USDA ensures all SRMs, or those materials most likely to contain the BSE agent, are removed from a suspect animal.