# FSMA Weekly Update

*March 19, 2014*

**Comment Period Extension Denied**

The American Feed Industry Association received notice from the U.S. Food and Drug Administration that our request for an extension to the comment period for the "Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals" has been denied. Earlier this month, AFIA, along with the National Grain and Feed Association, the National Renderers Association and the Pet Food Institute filed a request to extend the comment period for the proposed rule. AFIA is very disappointed by FDA's decision to not extend the comment period; however, we are ready to file comments by the March 31 deadline.

**Drafting YOUR Comments**

It is important for FDA to hear your public comments. While companies can speak with one industry-wide voice through trade associations like AFIA, it will also help to speak with many voices on an important rule like the Food Safety Modernization Act. Companies have the ability to show FDA how the proposed rule will impact industry through individual accounts. These individual stories can be very effective. Congressional offices often ask how a given regulation will affect a single company, for example: Will companies be forced to hire people to help you comply with the regulation? Will companies limit product lines or dispose of product instead of recycling it? Are FDA's cost estimates reasonable for companies?

While AFIA members are free to use any parts of AFIA's comments in their own submissions, form submissions (i.e. complete copy-and-pasting) will not be as effective as comments with individual company experiences and stories. AFIA encourages all of our members to use our comments as a resource and more importantly, make them your own. To aid in this, AFIA is providing a draft template that can be filled in and used. Please make the verbiage your own and tell your own story. Again, feel free to pull any language necessary from AFIA's comments to expand on your arguments.

To submit comments, go to regulations.gov. The docket number is FDA-2011-N-0922 and the RIN is 0910-AG10. Click on the "Comment Now" button. The website allows users to type in comments or upload a file. After submission, it should show a receipt. Comments are due by 11:59 p.m. Eastern on March 31.

**AFIA Comment Updates**

AFIA staff would like to extend a thank you to everyone who read and provided feedback on the draft comments. If your company has other suggestions on AFIA's draft comments, please send them to Leah Wilkinson, AFIA director of ingredients, pet food and state affairs, as soon as possible. A link to the most recent draft of AFIA's comments can be found here.

In Subpart B (Current Good Manufacturing Practices) FDA proposes that persons who are ill should not be working in animal food plants. AFIA commissioned a scientific review of

the issue and the paper can be found here. Dr. Tim Goldsmith, University of Minnesota, reviewed potential transmission of disease agents from humans (via illness) to animal food and then to animals. The review determined transmission is unlikely and provides a very good rationale and literature review. Please join AFIA in telling FDA to remove this provision from the proposed rules.

To keep track of FSMA updates from FDA, visit the FSMA webpage, www.fda.gov/fsma, and sign up for email updates. For questions on any aspect of FSMA, please contact Wilkinson at (703) 558-3560, Richard Sellers, AFIA senior vice president of legislative and regulatory affairs, at (703) 558-3569, Henry Turlington, AFIA director of quality and manufacturing regulatory affairs, at (703) 650-0146, or Paul Keppy, AFIA legislative and regulatory specialist, at (703) 650-0144.

The Food Safety Modernization Act (FSMA) was signed into law on January 4, 2011, and provides the U.S. Food and Drug Administration (FDA) with sweeping new authorities and requirements. The law was a bi-partisan supported bill backed by the food and feed industries. It authorizes FDA to promulgate new rules for preventive controls, develop performance standards, create new administrative detention rules, provides authority for mandatory recall of adulterated products and provides authority for hiring more than 4,000 new field staff among other provisions. It is unclear whether Congress will provide sufficient funding authorization to fully implement the law, but it is clear that FDA is proceeding with rulemaking to meet the new law's regulation deadlines.