



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

FEB 19 2004

The Honorable Henry A. Waxman
Ranking Minority Member
Committee on Government Reform
United States House of Representatives
Washington, District of Columbia 20515

Dear Congressman Waxman:

This will respond to your letter dated February 17, 2004, also signed by Chairman Tom Davis, raising questions regarding the single find of a BSE positive cow, whether it was correctly classified as a "downer," and USDA's surveillance procedures. We appreciate the additional information you have shared with us and are similarly interested in getting to the bottom of this matter. We have, since the report of the positive BSE test results, followed a course of full transparency concerning our actions and the additional safety measures being taken to respond to this situation and fully intend to continue on that path. These measures do include aggressively expanding our pre-BSE find surveillance procedures, and banning specified risk materials from food.

Our records show that an FSIS veterinarian's clinical assessment of the animal at the time of arrival at the plant classified it as a "downer" animal. We have provided Committee staff with a copy of this record.

As you and members of the Committee's staff have previously been notified, USDA's Inspector General Phyllis Fong is conducting a thorough and comprehensive review of the Department's BSE surveillance program and the respective roles of the Animal and Plant Health Inspection Service ("APHIS") and the Food Safety and Inspection Service ("FSIS"). This review includes a particular focus on the allegations surrounding the slaughter of the index cow in Washington.

Your letter requested specifically that USDA provide to the Committee copies of certain additional documents including, *inter alia*, documents regarding the condition of the index cow while on the dairy farm from which she was sent to slaughter, BSE sampling at the slaughter facility, and USDA's BSE surveillance practices generally. I have asked my General Counsel's Office to work with APHIS and FSIS to ensure that the Committee is provided with copies of such documents as soon as possible.

Thank you for bringing these important issues to my attention. I look forward to working with the Committee as these matters are addressed further. A similar letter is being sent to Chairman Davis.

Sincerely,



Ann M. Veneman
Secretary

cc: The Honorable Bob Goodlatte
Chair
Committee on Agriculture
U.S. House of Representatives

The Honorable Charles W. Stenholm
Ranking Minority Member
Committee on Agriculture
U.S. House of Representatives

The Honorable Henry Bonilla
Chair, Subcommittee on Agriculture, Rural Development,
Food and Drug Administration, and Related Agencies
Committee on Appropriations
U.S. House of Representatives

The Honorable Marcy Kaptur
Ranking Minority Member, Subcommittee on Agriculture, Rural
Development, Food and Drug Administration, and Related Agencies
Committee on Appropriations
U.S. House of Representatives