Attachment to the letter from the Center for Science in the Public Interest to the U.S. Trade Representative regarding comments on "Promoting U.S.-EU Regulatory Compatibility," Docket No. USTR–2012–0028, 77 Fed. Reg. 59702, Sept. 28, 2012

Animal Identification

The U.S. and EU should seek agreement on animal identification systems for tracing food to its origin. Traceability of food animals is an essential component of early and effective control of health risks from communicable or zoonotic diseases. The EU currently requires all animals to be tagged or otherwise identified[1] while the U.S. has failed to implement an effective animal traceability system. Although EU traceability does not impose a legal requirement on U.S. exporters, they nonetheless face contractual barriers as their EU customers demand equivalent or better traceability.[2]

Recommendation: The High-Level Working Group on Jobs and Growth should invite the USDA Animal and Plant Health Inspection Service and EU Directorate-General on Health and Consumer Protection together with consumer organizations and producers into talks on harmonizing animal identification systems. The outlines of an agreement would have the EU recognize a government-managed U.S. animal identification system as comparable to requirements within the EU. This would reduce the tendency for EU importers and food businesses to set contractual barriers on U.S. suppliers to EU markets.

Antibiotic Resistance

Antibiotic resistant bacteria are becoming an increasing threat to human health, and as a result national efforts to address overuse of antibiotics in animal husbandry may affect trade. The European Food Safety Authority identifies misuse and overuse of antibiotics in food animals as a link in the emergence and spread of antibiotic resistant bacteria. This led to legislation banning the use of antibiotics for growth promotion in the EU in 2006[3] and this reference in the EU Action Plan Against the Rising Threats from Antimicrobial Resistance:

> *Increasing global trade and travel favors the spread of antimicrobial resistance between countries and continents. Therefore, antimicrobial resistance is a global public health concern.*[4]

The Transatlantic Consumer Dialogue approved a resolution in 2011 calling for a ban on non-therapeutic use of antibiotics in food animals, outlining consumer agreement with restrictions.[5]

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[1] Fact Sheet: Food Traceability, June 2007, http://ec.europa.eu/food/food/foodlaw/traceability/factsheet_trace_2007_en.pdf.
[2] Guidance on the Implementation of Articles 11, 12, 16, 17, 18, 19 and 20 of Regulation (EC) No. 178/2002 on General Food Law, Dec. 20, 2004, http://ec.europa.eu/food/food/foodlaw/guidance/guidance_rev_7_en.pdf.
[3] Ban on Antibiotics as Growth Promoters in Animal Feed Enters into Effect, Dec. 22, 2005, http://europa.eu/rapid/press-release_IP-05-1687_en.htm.
[4] Action Plan Against the Rising Threats from Antimicrobial Resistance, 2011, http://ec.europa.eu/dgs/health_consumer/docs/communication_amr_2011_748_en.pdf.
[5] Resolution on Antimicrobials in Animal and Food Production, June 2011, http://tacd.org/index.php?option=com_docman&task=doc_download&gid=295&Itemid=40.

In the U.S., the Centers for Disease Control recognizes the problem caused by non-therapeutic use of antibiotics to promote growth and support confined animal feeding operations,[6] but there has been little progress on addressing misuse and overuse in U.S. agriculture.[7] In 2009, U.S. livestock and poultry exports, valued at $10 billion, accounted for 12 percent of global meat trade. Harmonization would facilitate increased trade as the EU implements appropriate policies with regard to use of antibiotics in animal production.

Recommendation: The High-Level Working Group on Jobs and Growth should invite the USDA Animal and Plant Health Inspection Service, FDA Center for Veterinary Medicine, U.S. Centers for Disease Control, EU Centre for Disease Prevention and Control, Transatlantic Taskforce on Antimicrobial Resistance, and EU Directorate-General on Health and Consumer Protection together with consumer organizations and producers into talks on harmonizing standards for use of antibiotics in food animals. The outlines of an agreement would have the countries agree to phase out use of antibiotics for growth promotion and non-therapeutic purposes. This would reduce the pressure for the EU to introduce barriers as part of its effort to control the emerging problem of antibiotic resistant bacteria in the food supply.

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[6] A Public Health Plan to Combat Antimicrobial Resistance, Dec. 2011, http://www.cdc.gov/drugresistance/pdf/public-health-action-plan-combat-antimicrobial-resistance.pdf.

[7] Beginning in 2008, antibiotic drug manufacturers were required to report annually to the FDA the amount of drugs they sold or distributed for use in food-producing animals. For the first two years for which data are available, 2009 and 2010, the total quantity of antibiotics distributed for use in all food-producing animal species was approximately 29 million pounds of active ingredient. Analysis of this data reveals that food animals consume approximately 80% of all antibiotics sold in the United States, and that 65% of the antibiotics used in animal agriculture are either identical or similar to those used in human medicine. (See, CSPI, *Antibiotic Resistance in Foodborne Pathogens*, March 8, 2012, http://cspinet.org/new/pdf/abrupdate.pdf; and FDA *Summary Reports on Antimicrobials Sold or Distributed in the United States* for specifics.)