

United States Senate

WASHINGTON, DC 20510

April 17, 2015

The Honorable Sylvia Mathews Burwell
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Burwell,

We write to urge the department to move forward on a final rule to require veterinary oversight for medically-important antibiotics used in agriculture. We ask that the rule includes a definition for a valid veterinarian-client-patient relationship that ensures familiarity with the premise and animals being treated. The *Consolidated and Further Continuing Appropriations Act of 2015* directed the Food and Drug Administration (FDA) to finalize a veterinary feed directive rule prior to April 1, 2015, and we are concerned that the final rule has not yet been submitted to the Office of Management and Budget for review.

Antibiotic resistance in foodborne pathogens is a growing threat. The Centers for Disease Control and Prevention estimate that antibiotic resistant foodborne pathogens cause over 400,000 illnesses each year. In December 2013, the FDA finalized *Guidance for Industry 213*, which will phase out the use of medically-important antibiotics for production reasons over three years and require veterinary oversight for these drugs. The veterinary oversight regulation is essential – *Guidance for Industry 213* cannot be implemented without it.

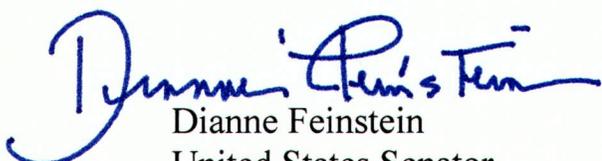
Last week, the FDA released agricultural antibiotic sales data for 2013, which showed a three percent increase in the amounts of medically-important antibiotics sold for agricultural use between 2012 and 2013. It documented that the percentage of antibiotics sold which have at least one approved production use increased from 68 to 72 percent during this time period. The data also documented that 98 percent of these medically-important antibiotics were distributed over-the-counter, without any requirement for veterinary oversight.

These data indicate that significant reductions in the amount of antibiotics distributed for use in agriculture can be achieved once *Guidance for Industry 213* is implemented. This includes implementation of its recommendations for administering antibiotics for disease prevention or control only when such use is

targeted to animals at risk of developing a specific disease, the use is linked to a specific etiologic agent, and when no other reasonable alternatives exist. A valid veterinarian-client-patient relationship will be critical in ensure these prescribing guidelines are adopted. However, no changes in antibiotic use will take place until a veterinary feed directive rule is finalized and implemented.

Thank you for your leadership in protecting the public health. We look forward to your response, and eagerly await the issuance of a final rule on veterinary oversight.

Sincerely,


Dianne Feinstein
United States Senator


Kirsten Gillibrand
United States Senator


Elizabeth Warren
United States Senator