

August 10, 2019

Richard A. Ball, Commissioner
NY State Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235

Dear Commissioner Ball:

Thank you for your letter of June 9, 2019, responding to our concerns about the need to protect New Yorkers from antibiotic-resistant “superbugs.” As you stated, all practical means of curbing antibiotic resistance both in human health care and animal care must be explored. We believe that one of those means is to reduce antibiotic use in food-producing animals, which accounts for two-thirds of all medically important antibiotic sales nationally. For this reason, we are working to pass S.5742-A (Kavanagh) / A.8335 (Romeo), the Combating Antimicrobial Resistance Act, and hope you will support this important legislation.

The New York State Antimicrobial Resistance Prevention and Control Task Force has done excellent work, as you note. The NYS Department of Health published a valuable report from this Task Force in 2018, which focused primarily on specific steps that can be taken to reduce antibiotic use in human health care.

New York must be equally aggressive about reducing antibiotic use in food production. Your Department’s work to educate farmers and veterinarians about responsible use of antibiotics is commendable. The work of the Diagnostic Laboratory at Cornell is also extremely valuable. The work of the Quality Milk Production Services unit at the Cornell College of Veterinary Medicine on optimizing mastitis therapy, which you mentioned, is of particular interest. The research on mastitis could be key to significant reductions in antibiotic use in dairy cows in New York State. As you know, dairy is one of the state’s largest industries, and one of its largest users of antibiotics. As an example, the groundbreaking techniques being researched and implemented through Cornell can potentially reduce the need for antibiotics in the “drying out” period by half, benefitting both dairy farmers and the public at large.

While it is extremely important that all milk be tested for antibiotic residues and that residues not be present – as required by law – that is not the issue at hand. Rather, it is the use of antibiotics on dairy cows when they are not in production as well as their use on other food-producing animals that selects for the survival of resistant bacteria in the farm environment. Those resistant bacteria put people in farming communities at higher risk of acquiring antibiotic-resistant infections, and ultimately spread and travel off the farm to endanger us all. In 2018, the [NYS Stop the Antibiotic Resistance Roadmap](#) (STARR) identified the occurrence in the state of specific resistant bacteria, including emerging multidrug resistant bacteria, that move from livestock to people and back, and represent a serious agriculture-related health risk to all New Yorkers.

Current estimates from the federal Centers for Disease Control and Prevention (CDC) indicate that at least 2 million people a year suffer from antibiotic-resistant infections, and 23,000 die. New CDC

estimates are expected this fall, which will likely be higher; a [January 2019 estimate](#) calculated that more than 150,000 people die annually in the U.S. from infections from multidrug-resistant organisms. The problem will certainly get worse unless effective action is taken now.

We therefore look forward to your and Governor Cuomo's support in passing S.5742-A / A.8335, which would prohibit use of antibiotics in food-producing animals for disease prevention while appropriately allowing use under a veterinarian's supervision to treat disease or control disease in a herd or flock where it has been identified and might spread. Maryland and California have already passed legislation with similar goals. New York dairy farmers utilizing the new mastitis treatment techniques being developed at Cornell would not face any new restrictions in antibiotic use under this legislation.

It is urgent that swift action be taken, before these precious drugs lose their effectiveness as treatment of human disease and we enter a post-antibiotic era. We look forward to continued discussions with your office and common efforts to put New York at the forefront of the battle against antibiotic resistance.

Sincerely, and on behalf of all those who signed the original June 3, 2019 letter to Governor Cuomo,

Blair Horner, Executive Director, New York Public Interest Research Group (NYPIRG)

Jean Halloran, Director, Food Policy Initiatives, Consumer Reports

Gail R. Hansen, DVM, MPH, Hansen Consulting LLC

Bob Martin, Director, Food System Policy Program, The Johns Hopkins Center for a Livable Future

Saul R. Hymes, MD, Steering Committee member, CCCAS Collaborative; Medical Director of Pediatric Antimicrobial Stewardship, Assistant Professor of Clinical Pediatrics, Stony Brook Renaissance School of Medicine; Pediatric Infectious Diseases Attending, Stony Brook Children's Hospital

Peter Lehner, Managing Attorney, Sustainable Food and Farming, Earthjustice

Patricia Martin, President, Northwest Toxic Communities Coalition

Matt Wellington, Antibiotics Campaign Director, U.S. PIRG

Janine Thomas, Founder/President, MRSA Survivors Network

Ted Schettler, MD, MPH, Science Director, Science and Environmental Health Network

Jill Mountjoy, Project Director, Humane Farming Association (HFA)

Stacie Orell, Director, GMO Free NY

Yvonne Taylor, Vice President, Gas Free Seneca

Joseph Campbell, President, Seneca Lake Guardian, a Waterkeeper Alliance Affiliate

Gretchen DuBeau, Executive and Legal Director, Alliance for Natural Health

Mary Smith, Communications Director, Church Women United in New York State

David Byrnes, President, Yellowbarn Biodynamic, Inc.

Patricia Martin, Project Director, Safe Food and Fertilizer

Carrie Balkan, Executive Director, American Grassfed Association

Daniel Lipson & Mike Boms, Co-chairs, SUNY New Paltz Environmental Task Force

Steven Roach, Food Safety Program Director, Food Animal Concerns Trust

Melanie Lary, Research and Campaigns Officer, FOUR PAWS International

Stacia Clinton, National Director, Healthy Food in Health Care Program, Health Care Without Harm