



April 20, 2021

Lisa Barton
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

Pet Food Institute Comment on USITC Investigation: Methionine from France, Japan, and Spain
Investigation Nos. 731-TA-1534-1536

Dear Secretary Barton:

The Pet Food Institute (PFI), whose members account for the vast majority of US dog and cat food production, appreciate this opportunity to provide the United States International Trade Commission (USITC or the Commission) with information we believe may assist the Commission in its investigation of whether methionine from France, Japan and Spain has been sold in the United States at less than fair value (LTFV).

Established in 1958, PFI is the voice of US dog and cat food makers. Among our members are 24 dog and cat food makers and more than a dozen associates who supply ingredients, equipment and services. Domestic dog and cat food sales were approximately \$40 billion last year, with about \$1.7 billion in exports to more than ninety countries. PFI members employ approximately 25,000 Americans in thirty-two states, providing stable jobs in rural and urban cities and towns across the country. PFI members are also proud of the role they play in making US agriculture more sustainable through our ingredient sourcing and packaging.

In providing complete and balanced nutrition for the more than 180 million dogs and cats in US households, as well as many millions abroad, US dog and cat food makers take special care to formulate foods that provide more than 40 essential nutrients in the proportions appropriate for different life stages. These formulations must meet federal and state regulations for safety and they must also comply with labeling requirements set forth by the US Food and Drug Administration (FDA), as well as the ingredient term, definition and labeling standards developed by the Association of American Feed Control Officials (AAFCO) and enforced by states. PFI members take these responsibilities and their commitment to product safety very seriously.

Methionine, the amino acid at issue in this USITC investigation, is widely used in pet food. It is a precursor for another amino acid, taurine, that has several key functions in dog health. US dog and cat food makers almost exclusively use D,L-methionine (DLM), purchasing it from the limited number of domestic and foreign producers. The Commission correctly identifies D,L-methionine as the mixture of

the two methionine isomers, D-methionine and L-methionine. DLM is used by dog and cat food makers in large part because of the need to ensure sufficient bioavailability of the amino acid. Studies indicate that methionine hydroxy analogue (MHA) is far less bioavailable in certain mammals than is DLM. Our contention is supported by and consistent with the position of respondent Sumitomo, which contends that the bioefficacy of MHA is much lower than that of DLM. This is the principal reason US pet food makers almost exclusively use DLM.

PFI will leave for others to decide whether the petitioner is justified in arguing that the Commission should consider DLM and MHA as completely interchangeable since, as petitioner contends, “MHA becomes chemically identical to DLM once digested by livestock.” The same cannot be said for ingestion of MHA and DLM by dogs and cats. Research indicates that MHA has approximately two-thirds the sulfur amino acid availability for dogs and cats as compared with DLM, based on mono-gastric mammalian studies, and therefore cannot be used interchangeably in complete and balanced pet foods.¹

Another consideration for pet food makers we wish to bring to the USITC’s attention is that labeling requirements and costs associated with labeling changes, which are required under both federal and state regulation, effectively prohibit switching from DLM to MHA or back. Pet food makers must comply with applicable FDA regulations under the Federal Food, Drug and Cosmetic Act (FD&CA), including section 403 of the FD&CA, which requires that all food labels, including those for pet food, be truthful and not misleading. Pet food makers must also comply with standards set by AAFCO, which are codified in most state laws or regulations and generally involve periodic label reviews to ensure accurate information is delivered to pet owners.

PFI members queried indicate that switching from DLM to MHA would require reformulation to account for the different bioavailability of these forms of methionine. In addition, switching from DLM to MHA would require changes to labels in order to convey accurate information to pet owners and to comply with the aforementioned federal and state regulations. These changes across entire product lines – most dog and cat food makers use DLM in every complete and balanced diet they make – would cost millions of dollars in new label development and production. Many pet food makers export their products and these formulation and label changes would in many cases require new product registrations in importing countries. Product registration processes in many countries are both costly and time consuming.

Based on all the factors described above that make switching from one form of methionine to another, it is critical for PFI members that they continue to have an uninterrupted, reliable and cost-effective source of DLM since it is their preferred methionine form. While DLM and MHA may be interchangeable for some animal food producers, they are not so for pet food makers, for the critical reasons stated in this comment.

¹ A. K. Shoveller, S. Moehn, M. Rademacher, J. K. Htoo, R. O. Ball, Methionine-hydroxy analogue was found to be significantly less bioavailable compared to dl-methionine for protein deposition in growing pigs. *Animal* **4**, 61-66 (2010).

PFI appreciates this opportunity to share our views and requests that the Commission take them into its investigation. We stand ready to provide additional information regarding dog and cat food makers' use of DLM and the importance of ensuring a stable supply of this important ingredient. We urge the Commission to consider that DLM and MHA are not interchangeable as it makes a determination on petitioner's request.

Sincerely,

A handwritten signature in blue ink that reads "Peter Tabor". The signature is written in a cursive, slightly slanted style.

Peter Tabor
Vice President, Regulatory & International Affairs