



TEXAS CATTLE FEEDERS ASSOCIATION

NEWSLETTER

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FDA May Delay Implementation Of The Enhanced Feed Ban Rule, depending on the outcome of a seven-day comment period which began on April 9. The final Feed Ban rule is set to take effect on April 27, but FDA has announced they are considering a 60-day delay in implementation – making the effective date June 26. FDA said the action is being taken in response to comments from affected parties expressing concerns about their ability to fully comply with the rule by the effective date. Additionally, some affected parties are finding it difficult to identify appropriate alternate ways of disposing of material that may no longer be rendered for animal feed use once the rule takes effect. TCFA and NCBA have opposed this so-called enhanced feed ban since it was first proposed in 2005 because it is not based on sound science and would provide negligible, if any, benefits to animal health and food safety. In addition, the enhanced feed ban will greatly exacerbate disposal issues, generate environmental concerns and increase operating costs for cattle producers. TCFA and NCBA will file comments urging FDA to reopen and solicit comments on the enhanced feed ban rule itself, because the agency, regrettably, has chosen to initiate a seven-day public comment period solely on the question of whether to delay the effective date of the enhanced feed ban. Comments must be submitted on or before April 16. For more information, see the *Federal Register* notice online at <http://edocket.access.gpo.gov/2009/E9-8127.htm>.

How Much Does Ethanol Affect Food Prices? According to a new report from the Congressional Budget Office (CBO), the increased use of corn-based ethanol accounted for about 10% to 15% of the rise in food prices between April 2007 and April 2008. The report explains that the increased use of corn for ethanol production has elevated the price of animal feed, which in turn helped to drive up retail food prices. To read the CBO report, go to <http://www.cbo.gov/ftpdocs/100xx/doc10057/04-08-Ethanol.pdf>.

Meanwhile, EPA says it could take another year for the Energy Department to complete testing on whether higher levels of ethanol can be blended into gasoline without harming engines, *The Food & Fiber Letter* reports. Ethanol producers are asking EPA to require gasoline to contain up to 15% ethanol. NCBA and TCFA oppose the requested increase.

Also, U.S. Sens. Tom Harkin (D-Iowa), John Thune (R-S.D.) and Tim Johnson (D-S.D.) have introduced legislation that authorizes loan guarantees for the construction of renewable fuel pipeline projects, *Feedstuffs* reports. In February, Reps. Leonard Boswell (D-Iowa) and Lee Terry (R-Neb.) introduced the Renewable Fuel Pipeline Act, which would qualify a renewable fuel pipeline as an eligible project under the federal loan guarantee program within the U.S. Department of Energy.

With Over Half Of The Texas Legislature's 81st Session behind us, the pace is starting to quicken, days are getting longer and anxieties are growing in the Capitol. There are several important and complicated issues that must be addressed before adjournment. Below are a few of the major issues that TCFA is working on.

Eminent Domain: The House and the Senate are continuing their work to enact comprehensive eminent domain reform legislation that balances the state's needs with landowners' rights. A number of bills have been introduced in both chambers to address this important issue. Chief among the unresolved issues are how to ensure fair and adequate compensation for landowners and provide a more transparent condemnation process.

Property Tax and Appraisal Reform: The Legislature is also working on property tax and appraisal reform legislation designed to provide taxpayers with more protections and ensure consistent appraisal methods and standards across the state. Like eminent domain, a number of bills have been introduced and debate continues on how best to address this issue, especially given the potential impact to the general revenue of the state.

Budget: The Senate successfully passed a biennial budget last week, and the House is expected to debate its version next Friday. Of particular interest to TCFA members, both bills contain funding to continue

the DDG feeding research being conducted by Texas AgriLife Research in Amarillo and to help eradicate fever ticks. On the fever tick issue, the Senate bill provided \$1 million and five full-time employees while the House bill contains \$1.75 million, 20 employees and an additional \$500,000 for construction of high fences along the border. The budget will also provide funding for programs and projects at the state's universities and agencies including Texas A&M University, Texas Tech University, West Texas A&M University, Texas AgriLife Research, Texas AgriLife Extension, Texas Animal Health Commission and Texas Veterinary Medical Diagnostic Laboratory.

TDA Sunset: The Texas Department of Agriculture is going through the sunset review process that all state agencies must complete every 12 years. Legislation to reauthorize the agency and its mission was unanimously approved by the Senate Government Organization Committee and referred favorably to the full Senate. The House Agriculture and Livestock Committee also heard testimony on the House version of the bill this week but did not take action, choosing instead to wait for the Senate bill.

TCFA staff will continue to work with Members of the Legislature and stakeholders to ensure a favorable outcome on these and other important issues to the cattle feeding industry.

President Obama Plans To Address The Nation's Immigration System This Year, an Administration official told the *New York Times*. The President is expected to speak publicly about the issue next month and convene bipartisan working groups of lawmakers and representatives of immigration groups over the summer. The working groups will be assigned to discuss possible legislation that could be introduced as early as this fall. In broad outlines, officials said, the Obama administration favors legislation that would bring illegal immigrants into the legal system by recognizing that they violated the law, and imposing fines and other penalties to fit the offense. The legislation would seek to prevent future illegal immigration by strengthening border enforcement and cracking down on employers who hire illegal immigrants, while creating a national system for verifying the legal immigration status of new workers. But administration officials emphasized that many details remained to be debated.

The First Ever Nominees For The Cattle Feeders Hall Of Fame Have Been Announced.

Nominees from the TCFA area are **Jack Carrothers**, Friona Industries, Texas; **E.C. Crofoot**, Crofoot Ranches, LLC, Texas and Kansas; **Paul Engler**, Cactus Feeders, Texas; and **H.C. (Ladd) Hitch**, Hitch Enterprises, Inc., Oklahoma and Kansas.

Other nominees are **Louie Dinklage**, Dinklage Feeders, Nebraska; **Joe Entz**, Spur Industries, Arizona; **W.D. Farr**, Farr Feeders, Colorado; **Dr. Duane Flack**, Monfort of Colorado, Colorado; **Jud Lackey**, Jarboe/Lackey Feedlot, Kansas; **Kenneth Monfort**, Monfort Inc., Colorado; **Robert (Bob) Rebholtz**, Agri Beef Co., Idaho; and **Dave Wood**, Harris Farms, California.

Ultimately, two cattle feeders will be chosen to be the first inductees to the Hall of Fame. The inductees will be announced next month.

The Confidentiality Of Premises And Other Records Collected In NAIS Will Be Protected by the U.S. Privacy Act and, therefore, not subject to disclosure under the Freedom of Information Act (FOIA), a federal judge in Washington, D.C. has ruled. *Feedstuffs* reports the ruling is significant because the issue of confidentiality has kept many producers from participating in NAIS. The ruling means that information about their animals and businesses will be shielded, sources said, although the decision can be appealed.

The Clean Water Restoration Act (S. 787) Has Been Introduced by U.S. Senator Russ Feingold (D-Wis.). Currently, waters under the jurisdiction of the federal Clean Water Act (CWA) are defined as "navigable waters of the United States." The legislation would remove the word "navigable" from the definition, thereby drastically expanding federal regulatory control over all wet areas. Removing the word "navigable" essentially removes all recognized exclusions from federal jurisdiction, so the CWA could easily be interpreted to cover groundwater, manmade ponds, wet farmland, treatment ponds and other wet areas. Passage of this legislation could mean that cattle producers would be required to manage around mud holes in the middle of fields, road ditches, and streams and drainage ditches that are only wet during certain times of the year. TCFA and NCBA oppose all efforts to redefine waters of the United States.

Ohio Is Apparently Next On The HSUS Hit List for an effort similar to last year's Proposition 2 ballot initiative in California, according to a report by the Veterinary Information Network (VIN). HSUS executives Wayne Pacelle and Paul Shapiro recently met with agriculture groups and the Ohio Veterinary Medical

Association to announce that, unless a deal can be negotiated beforehand, the animal rights group will seek a citizen referendum concerning confinement issues on the November 2010 ballot. Similar to what was achieved with Prop 2, HSUS is seeking a ban on sow gestation stalls, veal crates and battery cages for laying hens.

The VIN article notes that many veterinarians and others in agriculture argue that implementing alternative housing such as free-range or pen systems presents a huge and costly changeover for producers. Plus, animals housed in open systems are more vulnerable to disease, parasite infestation and injury due to aggressive pen-mates. Open systems also can make it more difficult to track an animal's medical health and care, according to American Veterinary Medical Association officials. To read more on the veterinarians' perspective, go to <http://news.vin.com/VINNews.aspx?articleId=12574>.

Can A Government Use Animal Welfare Concerns To Restrict Imports From Another Country?

That could become an issue for the WTO due to a dispute between Canada and the EU over seal products. *Feedstuffs* reports Canada has warned the EU that a complaint will be pursued before the WTO if a proposed trade ban is implemented. Some within the EU believe Canada harvests seals in an inhumane manner. The EU's Parliament is expected to vote on the proposed ban later this month or in May.

There Will Be No General CRP Signup This Year, USDA Has Confirmed, according to *The Food & Fiber Letter*. Although a signup is planned for 2010, FSA will first have to conduct an environmental impact analysis of the program.

Teenagers Who Identify Themselves As Vegetarians May Be Trying To Camouflage Eating Disorders, according to an online report by *TIME* magazine. *TIME* cites research that found adolescent vegetarians are far more likely than other teens to use extreme and unhealthy measures to control their weight. According to one study, 25% of current vegetarians, ages 15 to 18, and 20% of former vegetarians in the same age group admitted engaging in extreme weight control measures such as taking diet pills or laxatives and forcing themselves to vomit. Meanwhile, only about 10% of meat-eating teens reported similar behaviors. *TIME* said experts advise parents and doctors to be extra vigilant when teens suddenly become vegetarians. To read the full article, go to <http://www.time.com/time/health/article/0,8599,1889742,00.html?cnn=yes>.

Perhaps Teenagers Will Listen To Their Peers About The Benefits Of Beef. Helping prepare young people to speak up on behalf of the beef industry is the goal of the Texas Beef Leaders of Tomorrow Contest, which is hosted by members of Texas CattleWomen. There will be four first place winners identified who will receive \$6,000 in total prize money and scholarships. This Beef Checkoff-funded program is open to all youth between the ages of 17 to 20, but not over 20 as of Jan. 1, 2010. The Texas Beef Leaders of Tomorrow Program trains the four winning students from Texas in media response, beef demonstration and opinion essay and affords opportunities for them to present to youth across Texas. This program is all about youth speaking to youth about the positive aspects of beef. During the Texas Beef Leaders of Tomorrow Contest, contestants will compete in four categories: Media Interview, Consumer Promotion, Classroom Presentation and Beef Issues Response Essay. Contestants will interact with mock consumers and answer questions about the beef industry. They will be evaluated on their beef knowledge and communication strengths. The contest will take place on Aug. 1, 2009 at Texas A&M University in College Station. The high point winner will represent Texas at the National Beef Ambassador Contest. Texas CattleWomen Contest Chairman, Rosemary Gambino said, "This is a great opportunity for our state's youth to develop important communication skills while learning more about the beef industry and meeting key beef industry leaders. The contest offers not only prize money and a title, but also the chance to travel." For more information on contest registration and rules please contact Rosemary Gambino, Chairman Texas Beef Leaders of Tomorrow, at (281) 375-8836 or by email at rgambino@consolidated.net.

Please note: All links are still available at www.tcfa.org under Newsletter links.