



TEXAS CATTLE FEEDERS ASSOCIATION

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The *New York Times* Allowed The Beef Industry To Have Its Say as letters to the editor from NCBA and NMA made it into print in the Sunday, Jan. 17 edition. The letters were written in response to the paper's recent reporting on beef safety issues.

In her letter, NCBA's Executive Director of Beef Safety Research Dr. Mandy Carr Johnson wrote, "I've been involved in beef safety research since college, and I don't recognize the industry you've depicted in recent articles. Your readers probably don't realize how many different individuals – university researchers, lab technicians, quality assurance managers and so many others – work daily to bring safe beef to dinner tables across the country."

Dr. Carr also pointed out that beef producers have invested more than \$28 million since 1993 in beef safety research, and the beef industry as a whole invests an estimated \$350 million annually on safety.

NMA's Director of Communications and Government Relations Jeremy Russell's letter said, "The American food safety system is the highest standard in the world, and our ground beef is the safest. According to the most recent information from the Centers for Disease Control and Prevention's FoodNet Data, there have been no significant increases in food-borne illness since 2005 and there were significant declines before then."

Because the *Times* receives thousands of letters every day, having two beef industry letters published is a major accomplishment. The achievement resulted from an effort by NCBA, NMA and AMI to work with third party experts in submitting a number of positive safety letters to the paper.

TCFA And NCBA Strongly Support A Resolution To Reverse EPA's Recent Finding that greenhouse gases (GHG) are an "endangerment to public health and welfare." The resolution introduced in the U.S. Senate by Senator Lisa Murkowski (R-Alaska) would in effect prevent EPA from regulating GHGs under the Clean Air Act (CAA). Such regulatory actions would impose severe consequences on the entire U.S. economy, including cattlemen, by increasing input costs and creating international market disparities. The Murkowski resolution is cosponsored by 38 Senators, including three Democrats.

The following is an excerpt from a letter sent yesterday by TCFA, NCBA and more than 140 agriculture groups to Senator Murkowski in support of her resolution:

"The EPA rule itself claims to establish only a weak, indirect link between GHG and public health and welfare, going so far as to admit there are uncertainties over the net, direct health impacts of the GHG it is attempting to regulate. Further, EPA Administrator Jackson recently acknowledged that unilateral actions by the United States would have no material impact on global warming. China and India, two of the largest emitters of greenhouse gases, continue to reject any verifiable reduction measures. Without an effective international agreement on emission reductions, unilateral action by the U.S. only serves to further damage our economy and encourage businesses to relocate. EPA's finding puts the agricultural economy at grave risk based on allegations of a weak, indirect link to public health and welfare and despite the lack of any environmental benefit."

In other environmental policy news:

- EPA is launching several new efforts to increase the regulation of CAFOs under the Clean Water Act (CWA). One effort would require the removal of pathogens from manure; another would change the definition of a CAFO to include more animal feeding operations and require more stringent National Pollutant Discharge Elimination System (NPDES) permit standards to control nutrients. According to *Inside EPA*, the agency is also working to finalize an agreement with environmental interests to settle activists' litigation challenging the 2008 CWA CAFO rule. The agreement is expected to launch a new rulemaking process to address pathogens from CAFOs and other issues.
- EPA may be forced under the CAA to issue national ambient air quality standards (NAAQS) for GHGs even though such standards are a "very poor fit" for controlling GHGs, according to a recent paper by Resources for the Future (RFF), an environmental think tank in Washington, D.C. The paper also says GHG NAAQS would create major regulatory problems. *Inside EPA* says RFF's summary of the complications involved in issuing national air standards for reducing GHGs could aid the push in

Congress to block EPA from regulating GHGs, either by bolstering support for comprehensive climate legislation that preempts the agency from regulating GHGs or a more limited measure barring regulation under the air law.

- EPA has unveiled a potentially precedent-setting proposed rule to set numeric nutrient criteria for lakes and streams in Florida that includes flexibility for industry by recognizing differences between eco-regions in the state, allows for the development of site-specific criteria and creates an additional enforcement tool to give good actors incremental milestones for reducing nitrogen and phosphorus discharges. *Inside EPA* reports the numeric criteria are the first in a hotly-contested environmentalist push to force EPA to – for the first time – implement stringent numeric criteria where states have failed to do so. Under the CWA, states draft and EPA approves water quality criteria – risk-based limits that regulators use, along with water bodies' designated uses and anti-degradation policy to set water quality standards and permit limits.

Taiwan: Leaders Of The House Ways And Means Committee Are Urging The Obama Administration to maintain pressure on Taiwan to comply with the terms of the October 2009 bilateral protocol, which was supposed to allow expanded market access for U.S. beef exports. In a Jan. 20 letter to U.S. Trade Representative (USTR) Ron Kirk, the bipartisan group of members suggested that Taiwan's ban on certain beef products is in "direct contravention" to OIE and WTO guidelines, as well as the previously agreed-to U.S.-Taiwan Protocol.

"Indeed, Taiwan's own risk assessment has confirmed the safety of the newly banned imports," stated the letter, which was signed by Ways and Means Chairman Charles Rangel (D-N.Y.), Ranking Member Dave Camp (R-Mich.), Trade Subcommittee Chairman Sander Levin (D-Mich.), and Ranking Member Kevin Brady (R-Texas).

Several members of the Senate, including Senators Max Baucus (D-Mont.), Saxby Chambliss (R-Ga.) and Richard Lugar (R-Ind.) have also sent separate letters to Taiwan President Ma Ying-jeou expressing serious concerns with Taiwan's failure to implement the beef trade protocol.

TCFA and NCBA continue to call on the U.S. government to get answers from Taiwan on a number of unresolved issues surrounding border procedures for U.S. beef imports.

U.S. Beef Exports Continue To Recover based on the latest report from USMEF. In November, total beef exports reached 76,693 metric tons (mt.), a 4% increase over November 2008. The category of muscle cuts experienced a 23% increase, but there was a 27% decline for variety meat.

Despite improved performance in the latter months of the year, beef exports were still showing a decline for 2009 as a whole. At 819,778 mt., exports were down 10% in volume year-to-date through November.

To see more export data, go to <http://www.usmef.org/TradeLibrary/files/November%202009%203.pdf>.

Countries Who Export Beef To The U.S. Are Being Hampered By An Unfavorable Currency Situation, according to analysis by CME Group. This is especially true for Australia, which saw its exports to the U.S. decline 50% when comparing 2009's fourth quarter with figures from the same period in 2008. CME Group says preliminary data for this month indicates Australian beef exports to the U.S. will remain comparatively light. As for U.S. beef imports overall, USDA currently forecasts 2009 figures will show a 6% increase over the particularly low levels of 2008, but imports will still run about 15% lower than the five-year average.

For more, go to <http://www.dailylivestockreport.com/documents/dlr%2001-20-10.pdf>.

The Humane Society Of The United States (HSUS) Appears To Be Exploiting The Crisis In Haiti, according to a human rights journalist. Anai Rhoads reports that HSUS is attempting to raise money by overstating the number of animals in need in Haiti. For more, go to http://www.consumerfreedom.com/news_detail.cfm/h/4079-hsus-another-disaster-another-payday.

The Center for Consumer Freedom also reports that the American Institute of Philanthropy (AIP), an independent non-profit charity watchdog, gave the HSUS and its Humane Society Legislative Fund (formerly the Fund for Animals) a "C-minus" grade. AIP based its grade largely on the percentage of HSUS's money that it spends actually running its programs (which can be as little as 53%), and the amount of money it spends on fundraising (as much as \$40 spent to generate every \$100 donation). AIP also penalized HSUS for paying exorbitant salaries to its top executives and for sitting on enormous cash reserves (\$187 million in assets at the end of 2008).

Meanwhile, *Nation's Restaurant News* reports **HSUS has purchased shares** in Steak 'n Shake Co. and Jack in the Box. HSUS issued a statement that declared the purchases part of an attempt to influence the companies' purchasing decisions with regard to chicken, eggs and pork.

One company in which HSUS previously bought shares – Sonic Corp. – has announced it will require all suppliers to undergo third-party animal welfare audits, *Meatingplace.com* reports. The drive-in restaurant chain said the audits will be conducted by a recognized auditing firm and reviewed by Sonic on an annual basis. Specifically, Sonic said it will challenge its poultry suppliers to convert to a controlled atmosphere killing system (CAS). Sonic said it will favor suppliers that raise hogs in a gestation crate-free environment. Egg suppliers will be required to meet United Egg Producer (UEP) standards for housing and other poultry practices. Sonic does not support the withdrawal of food or water to facilitate molting or support improperly controlled or managed beak trimming.

A New Method For Testing Animal Feed For Prohibited Materials has been developed by The Office of Research (OR) of FDA's Center for Veterinary Medicine. The method relies on polymerase chain reaction (PCR), a molecular technique that amplifies small amounts of genetic material (DNA or RNA) to produce larger amounts for analysis. Once the new PCR-based method is routinely used, FDA says it will enhance the agency's ability to make sure animal feed is safe and free of prohibited materials that may spread the agent thought to cause bovine spongiform encephalopathy (BSE).

For more about the new testing method, go to <http://www.fda.gov/AnimalVeterinary/ResourcesforYou/AnimalHealthLiteracy/ucm197767.htm>.

Continuing Her Criticism Of USDA's Handling Of Food Safety, U.S. Rep. Rosa DeLauro (D-Conn.) is calling for creation of an independent science board to review FSIS. In a statement, DeLauro said, "It is time for the meat and poultry inspection system at USDA to be subject to a comprehensive review by an external, independent science board to ensure that the current system is adequately protecting the public health. Such a board would support and advise USDA, ensure that the inspection process is rigorous and scientifically robust, and recommend changes to any practices that are insufficiently protecting our food supply."

FDA Now Has A Deputy Commissioner For Foods. Michael R. Taylor, who has served in numerous high-level positions at FDA and USDA, became the first person to ever hold the post with his appointment this week. FDA says the position was created along with a new Office of Foods in August 2009 to elevate the leadership and management of the Foods Program.

As Deputy Commissioner for Foods, Taylor will help FDA to develop and implement a prevention-based strategy for food safety, plan implementation of new food safety legislation and ensure that food labels contain clear and accurate information on nutrition.

Before returning to FDA in July 2009, Taylor served as Research Professor at George Washington University's School of Public Health and Health Services. His research agenda focused on policy, resource and institutional issues that affect the success of public health agencies in carrying out their prevention-related missions.

Mr. Taylor received his law degree from the University of Virginia and his B.A. degree in political science from Davidson College.

Richard "Rick" William McCracken, owner of McCracken Loader Service in Hereford and a TCFA member, passed away Jan. 18 in Amarillo. Services for McCracken, 62, were held Jan. 21 in Hereford Church of the Nazarene. Survivors include his parents, his wife, two sons, a daughter and eight grandchildren.

Closing Arguments Are Set For Feb. 11 In The Lawsuit Filed Against 11 Arkansas Poultry Companies by Oklahoma Attorney General Drew Edmondson. The poultry companies have rested their defense in the case, which involves Edmondson's claim that the Illinois River Watershed has been degraded because the companies' contract growers have excessively applied poultry litter in fields.

Feedstuffs reports Edmondson, who finished his case last month, has been given two days next week to present rebuttal testimony by two of the state's expert witnesses who were criticized by defense witnesses, and the two sides are to present final written comments to the court next week.

In closing testimony for the companies, Michael J. McGuire, a consultant specializing in water quality, said he compared drinking water samples taken from 18 treatment plants that draw water from Lake Tenkiller in the watershed with samples taken from other plants in Oklahoma and the U.S. and found that treated water from Lake Tenkiller was actually lower in contaminants than water taken from other state and national sites.

Herman Gibb, a former EPA scientist and now a health risk-assessment consultant, said any health risks associated with blue-green algae in the watershed are negligible and do not pose a threat to human health.

CBS Evening News Will Air A Story On Use Of Antibiotics In Animal Agriculture "sometime next week," according to *The Morning Call* website. Details on what the report will include have not been provided, but the network's field work included visits to an antibiotics-free turkey farm.

Texas Alliance For Water Conservation will hold a Pioneers in Agriculture field day at the Floyd County Unity Center in Muncy Feb. 3 at 8 a.m. Topics include livestock management and CRP, updates on the proposed cap and trade, new resources for irrigation scheduling, and production decision and profitability management recommendations for 2010.

TCFA Government Relations Director Josh Winegarner is scheduled as one of the panelists for a discussion on legislative and regulatory actions and their impact on production decisions.

For more on the field day, go to http://www.tcfa.org/Newsletter/tawc_2010_field_day.pdf and to http://www.tcfa.org/Newsletter/water_field_day_2010.pdf.

Please note: All links are still available at <http://www.tcfa.org> under This Week's Newsletter links.