



September 13, 2007

The Honorable Mike Johanns
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Secretary Johanns,

The United States Cattlemen's Association (USCA) appreciates your leadership in the continued efforts to regain market access for US beef. The US Department of Agriculture (USDA) has gone to great lengths to ensure confidence in U.S. beef, and the USCA commends USDA for doing so. As an organization representing cattle producers, the USCA believes it is extremely important to maintain credibility and confidence with our foreign trading partners.

As president of the United States Cattlemen's Association, I would like to raise concerns we have about the USDA's determination to proceed with implementing the Final Rule as it is written. USDA should reconsider the Rule allowing the import of cattle and beef derived from cattle over thirty months of age into the United States from Canada, as well as the negative impact doing so may have on our current efforts to reestablish export markets. USCA believes that the cases of Canadian bovine spongiform encephalopathy (BSE) –which were disclosed several years after the Canadian feed ban is considered to have been fully implemented and enforced –bring into question the determination of March 1, 1999 as the effective date. As such, we respectfully request that the U.S. Department of Agriculture modify the Final Rule to allow the importation of cattle and beef derived from cattle born after January 1, 2003. This recommended date is based on the fact that contaminated feed was clearly circulating as late as 2002.

USCA recognizes and concurs with the need to make science-based decisions with regard to trade. We must also hold all trading partners to a similar standard. However, in order to do so, we must assure that our own decisions are based on sound science.

The OIE guidelines require that cattle and beef under consideration for import must be born after the effective enforcement of a feed ban. Considering five of Canada's recent cases were born after the declared date of effective feed ban implementation, USCA contends that Canada's effective enforcement date cannot be the March 1, 1999 date as determined by USDA. That date was determined after allowing for a practical

implementation period following the August 1997 establishment of the feed ban, and recognizing that effective enforcement is a gradual process.

However, of the five Canadian BSE cases found to have been born after March 1999, two were born in 2001 and one was born as late as 2002 - a full three years after the supposed effective feed ban enforcement date. It is of the utmost importance that USDA recognize this undeniable fact and modify the age of cattle and beef to be allowed entry into the United States from Canada. By modifying the rule so that only cattle and beef from cattle born after January 1, 2003 would be allowed entry, we would be providing more assurance that cattle potentially exposed in 2002, when it is known that contaminated feed was circulating in Canada, would not be entering the United States. This reasonable date allows for trade that is based on science, and therefore would be defensible to our trading partners.

U.S. export markets are still partially closed with key trading partners. Fears related to the commingling of U.S. beef with Canadian beef are causing some U.S. trading partners consternation. The fact that trade with these countries has not yet fully restored clearly indicates there are either unjustified fears about the safety of U.S. beef, or that political pressures are playing a role. These difficulties, whichever they are, will be harder to alleviate if we now open the border to Canada to animals that clearly have a potential of having been exposed to contaminated feed. Modifying this rule so that only cattle and beef from cattle born after January 1, 2003 should alleviate these concerns.

The U.S. Cattlemen's Association appreciates the efforts of USDA to fully restore international markets for the cattle and beef. We appreciate your consideration, and look forward to working with you in the future on key issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jon Wooster", written in dark ink on a white background.

Jon Wooster
President