



FROM THE  
**COW  
BOSS**

The United States Cattlemen's Association is an organization formed by cattlemen to represent cattlemen's interests in Washington, D.C. It is our intention to represent our interests in an unapologetic manner, yet with all due respect to our elected representatives and government officials in the nation's Capitol. We do not presume that our position is the only position, but we intend to present our stance as intelligently and persuasively as possible. We have found that there are many people in Washington willing to listen to informed and knowledgeable opinions.

Our goal is to concentrate on the key issues that affect our businesses, such as Country of Origin Labeling, International Trade and Check-Off and Competition reform. We recognize the restraints that our individual business interests put on the amount of time we can contribute to this organization, so we intend to concentrate on those issues that weigh most heavily on the success of our businesses. We intend that this truly be a national organization that represents national interests as opposed to regional matters that many active and informed state organizations are fully able to address.

During the recent battle in the House of Representatives to fund and implement COOL, our lobbyist was side-by-side with the National Farmers' Union as they led the battle to maintain what had already been won, once, by a coalition of many farm and consumer organizations. We intend to continue to commit our resources to represent-

ing the interests of America's cattle producers.

As we move forward, our immediate goal is to grow our membership so we can sustain our presence in Washington. We need every member and every membership dollar that we can get, in order to continue this very ambitious endeavor to stand up and be heard as the rational voice or the American cattle producer.

We are asking you to join us in working aggressively to protect our industry. Thank you, for your willingness to join us. Please, take the time to encourage your cattle-producing neighbors to do the same. We will continue to try to do everything we can to address the major, national issues affecting our industry.

John Wooster, President



**STATE CATTLE ORGANIZATIONS AFFILIATE WITH U.S. CATTLEMEN'S ASSOCIATION**

The Independent Cattlemen's Association of Texas (ICA), Cattle Producers of Washington (CPoW) and the Independent Beef Association of North Dakota (I-BAND) have all made the choice to affiliate with the U.S. Cattlemen's Association (USCA).

Visit these USCA affiliates online at [www.i-band.org](http://www.i-band.org); [www.icatexas.com](http://www.icatexas.com); and [www.cattleproducersofwa.org](http://www.cattleproducersofwa.org).

THE **HORN WRAP**

The Horn Wrap call is sponsored by USCA and is for non-members and members. It is an informal call held the first and third Tuesdays of every month at 7:00 AM Mountain Time. Join Jess Peterson to discuss issues facing the cattle industry. Guest expert speakers on occasion will be asked to participate. Just call 785-686-2400 then enter the access code 032007#. Join us early in the call as lines might not be available. Please email us at [usca@uscattlemen.org](mailto:usca@uscattlemen.org) if you have any problems getting on the call.

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*USCA's website is fresh and innovative. Check out [www.uscattlemen.org](http://www.uscattlemen.org) often. The site is updated constantly with news and information to help inform you the cattle producer.*

# COUNTRY CONNECTION



"It's hard for common sense to cross the Potomac," remarked Leo McDonnell to me during a phone conversation a few years back. I chuckled, but took the words to heart. I agree with Leo, and would add that usually individuals come to Washington D.C. to make a positive difference. However, the political system, along with the pressures to conform to the various Potomac practices can create a disconnect with the folks back home. It's with this in mind, I always try to spend plenty of time at the ranch in Hathaway, Montana, and take time to get out in the country with a notebook, and get a first hand feel for the "Country Connection."

I had the opportunity to attend the Colorado Independent CattleGrowers Association (CICA) second annual convention July 21st in Ouray, Colorado. CICA stands in the unique category of being both a state and national influence. The members' work on private property issues, premises registration, and COOL is proof

that a small group of committed individuals can accomplish great things in a short period of time. CICA uncovered the government's plan to infringe upon private property rights, and increased the public and media's awareness of the Pinion Canyon land expansion plan. I am impressed with CICA's coalition building, and mission to prevent the premises registration requirement on 4H participants. Standing tall for Colorado, and US cattle producers CICA fought hard and preserved the integrity of the mandatory COOL law. During my presentation to CICA I requested their involvement in the US Cattlemen's Association, and urged their collaboration on these and other key national issues. Competition reform in the Farm Bill, global trade, and working with USDA to implement a workable COOL law are all pressing issues in Washington D.C. The

US Cattlemen's Association is in the conference and committee rooms delivering the message, it needs CICA members' knowledge and credibility to ensure the "country connection" remains strong! In closing, I sure enjoyed my time in Ouray, Colorado and look forward to a return trip. I wish CICA the best as we wind down 2007 and prepare for 2008!

The Kansas Cattlemen's Association stands tall as one of the original organizations formed with the sole intention of providing a voice to independent producers. In a state that is a leader in cattle

feeding and slaughter, the producers and feeders of Kansas face a difficult obstacle; vertical integration and the rise of packer controlled feeding operations. KCA's role in state and national issues is critical, because its success means cattle producers across the country remain independent. Implementing COOL, reforming competition, strengthening price reporting, and addressing packer concentration issues top the list

of successful accomplishments of the KCA. And because of KCA's work cattle ranchers in the non feeder states such as Montana, the Dakotas, and Oregon are able to remain competitive and vertical integration will not put them out of business.

With the help of KCA and the US Cattlemen's Association, the US House of Representatives passed a Farm Bill that contained language clarifying the 2002 COOL law. The new language clarifies the classifications of imported cattle. The legislation is a success as the packers were defeated in their hard fought attempt to weaken the COOL law.

Cattle producers in Montana and across the country will not have a difficult time verifying country of origin. The obstacles lie in the process of cattle being comingled. Granted this will not be a significant burden, it will take work by



*Jess Peterson, President of Western Skies Strategies and US Cattlemen's Association spokesperson in Washington D.C. is on the road. Check out his monthly "Country Connection"....*

both producers and the US Cattlemen's Association to ensure that both the USDA and the packers do not place increased burdens on cattle feeders. The deadline to file comments on USDA's proposed COOL law is August 20th. The US Cattlemen's association is preparing its comments. In order to ensure cattle feeder input, Brandy Carter of the Kansas Cattlemen's Association accepted my offer to come out to Kansas and meet with feeders in Great Bend, Kansas to gather comments. A big thanks to Brandy Carter, Ken Winter (Winter Feed Yard), Perry Owens (Ottawa Co. Feed Yard), Phil Conyac (Rooks Co. Feed Yard), Allan Sents (McPherson Co. Feeders), Scott Fooks (Hoxie Feed Yard), Danny Herrmann (Ford Co. Feed Yard), and Jim Doran (Doran Feed Yard). During our meeting, participants were adamant that import markings be utilized. Markings such as the "M" brand on Mexican cattle and the "CAN" brand on Canadian cattle are simple methods of identifying foreign cattle. My presentation to the group included an update on the Farm Bill, and the positive outlook for the Senate to include competition reform in its version of the Farm Bill. I also stressed the fact that the US Cattlemen's Association would be delivering the comments on COOL directly to USDA. I can't thank the KCA enough for the opportunity to spend time hearing about the issues affecting the Kansas cattle industry, and specifically their thoughts on how to successfully write a COOL law.

USCA was true to its word in delivering the comments to USDA when COOL veteran and USCA Committee Chairwoman Danni Beer met with both Congress and USDA this past week in Washington D.C. Danni and I received commitments from USDA officials writing the COOL law that they would indeed utilize import markings, and the requests gathered from Kansas feeders would be addressed!

We want to hear from you! If you have a meeting and would like to hear about the issues, and more importantly ensure common sense crosses the Potomac River, then set up a meeting today and the US Cattlemen's Association will do its best to have a representative attend.

Until then--- Ride Tall

Jess Peterson



P.O. Box 339 San Lucas, California 93954 email: usca@uscattlemen.org

### MEMBERSHIP - DONATION FORM

#### PURPOSE STATEMENT

The purpose of the United States Cattlemen's Association (USCA) is to present an effective voice for the United States cattle industry. USCA is dedicated to, and focused on, efforts in Washington, D.C. to further the interests of cattle producers on mandatory country of origin labeling, international trade, market competition, reform of the mandatory beef checkoff, animal health, welfare and identification, private property rights and other issues that affect the United States cattle industry.

Name \_\_\_\_\_

Ranch Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Own cattle:  Yes  No

Tribal Member:  Yes  No

Founding Member \$1000.00 College Student \$25.00 (school \_\_\_\_\_)

Cattle Producer \$100.00 Junior \$25.00 (age 18 & younger)

Business Member \$100.00 Donation Only \_\_\_\_\_ (I do not wish to become a member at this time)

Amount Submitted \$ \_\_\_\_\_

Only members owning cattle have voting rights. One member - one vote.

*Contributions are not deductible as a charitable contribution, but may be deductible as an ordinary and necessary business expense.*

Please mail completed form along with your check to our Treasurer at:

**United States Cattlemen's Association**

P.O. Box 339

San Lucan, CA 93954

*Your Support Is Appreciated!*

## BELLE FOURCHE, SOUTH DAKOTA

On Monday July 2nd the Belle Fourche Ag Committee hosted a BBQ held in conjunction with the Black Hills Round Up and PRCA Rodeo. Johnny Kerstiens' took advantage of the chance to sponsor the beef for the event, on behalf of the United States Cattlemen's Association. The event was attended by approximately 1500 people, both local and tourists from across the US, and it was a great opportunity to grow awareness of USCA. South Dakota Senator John Thune was on hand for the night, as well USCA's own Jess and Lyle Peterson and Jess's Grandfather, Dale Grebe.

Jess and Johnny were able to get around and meet some of the local ranchers and a few key people to the Black Hills area. 810 AM Radio's Chase Adams made a fast trip back from Sioux Falls, SD that afternoon to attend and has been great at getting the word out about US Cattlemen's Association and the "Horn Wrap" as well as Jess' activities in DC. He has been a tremendous asset to gaining public attention for the USCA. When it was all said and done USCA gained some ground in the Black Hills area and made some great new contacts. Johnny was privileged to have the opportunity to host this and to have the Petersons in town for the night, and he personally thanks the Petersons for attending. Plans are in the works for next summer to host another BBQ on behalf of the USCA and encourage all to attend.



L-R Chase Adams, KBHB Radio, Sturgis, SD; Johnny Kierstiens, USCA member, Belle Fourche, SD and Jess Peterson, USCA Director of Governmental Affairs

# Washington DC Fly-In Photos



U.S. Cattlemen's Association meets with U.S. House Agriculture Committee Chairman Collin Peterson, June 20, 2007. L-R: USCA President Jon Wooster, California; Rep. Collin Peterson; USCA Animal Health Chairman Chuck Kiker, Texas; USCA Animal Identification Committee Chairman Dr. Dick Bowman, North Dakota; USCA Director of Governmental Affairs, Jess Peterson.



U.S. Cattlemen's Association in Rep. Rosa DeLauro's office. L-R: USCA President Jon Wooster, California; USCA Beef Checkoff Committee Chairman Jim Hanna, Nebraska; Rep. DeLauro staffer Brian Ronholm; USCA Animal Health Committee Chairman Chuck Kiker, Texas; USCA Animal Identification Committee Chairman Dr. Dick Bowman, North Dakota; Jess Peterson, USCA Director of Governmental Affairs.



L-R; Jess Peterson, USCA Director of Governmental Affairs; Jim Hanna, Nebraska; Jon Wooster, California; Allan Sents, Kansas; Ron DeHaven, APHIS Administrator; Dr. Richard Bowman, North Dakota; Chuck Kiker, Texas; and Neil Hammerschmidt, USDA-NAIS Coordinator.

**You're Invited to ...THE HORN WRAP** Spend a few minutes with Jess Peterson every other Tuesday morning for an update on legislation impacting the U.S. cattle industry in Washington, DC. This early-morning forum has been created as an "information exchange" where producers can offer input and feedback directly to Jess on policy that will impact the viability and profitability of you, the rancher, and Jess can keep you informed about what's happening on The Hill. This is an easy way to keep yourself abreast of the issues - and you don't have to leave the house.

**Dates:** Sept. 4 & 18, Oct. 2 & 16, Nov. 6 & 20, and Dec. 4 & 18

**Time:** 9:00 a.m. Eastern; 8:00 a.m. Central; 7:00 a.m. Mountain; 6:00 a.m. Pacific

Call in number: 1-785-686-2400 Access Code: 032007#

# U.S. Cattlemen's Washington RoundUp Termed A Complete Success

U.S. Cattlemen's Association (USCA) representatives were in Washington, DC June 19 - 21 for the organization's Washington RoundUp where they participated in multiple meetings with lawmakers and agency and administration officials.

USCA President Jon Wooster, San Lucas, Calif. called the event a complete success. "This was an extremely productive event. I was personally gratified to witness the level of access and the warm welcome received by U.S. cattlemen. Producers can rest assured that issues concerning them were addressed in open, frank discussions. USCA has established itself in Washington and has a respected voice in policy debates."

On Wednesday, June 20 U.S. Cattlemen's Association directors and members attended a number of different meetings on Capitol Hill, including a late afternoon session with U.S. House Agriculture Committee Chairman Collin Peterson (D-MN). "Chairman Peterson expressed his strong support for mandatory country of origin labeling and the need to get the rules properly written and the law implemented," said Dr. Richard Bowman, North Dakota, USCA's Animal Identification Committee Chairman. "We conveyed ranchers' concerns regarding the linking of food labeling and animal identification, which could further delay implementation of the labeling law. Chairman Peterson has been a leader on food labeling and I believe we helped him understand the risks and consequences of linking these programs together. We appreciate the meeting with Chairman Peterson who is a champion for the

industry on key issues."

During meetings with U.S. Department of Agriculture's (USDA) Animal Identification Coordinator Neil Hammerschmidt and USDA's Animal and Plant Health Inspection Service Administrator Ron DeHaven, cattlemen conveyed concerns regarding the agency's national animal identification system. "This was an important opportunity to bring forth producers' concerns with the agency's handling and implementation of the program. Clearly, they understand there have been missteps made with NAIS, and they also understand there's a need to restore producer trust. USCA policy urges the agency to slow this process down and examine how current systems and data bases already in place can be utilized in the event of an animal health crisis, and to conduct a thorough cost-benefit analysis of the system." noted Bowman. "This was a very encouraging meeting. I can't begin to express how important it is for producers to be at the table making their case based on fact, truth and reason."

USCA also met with upper level staff in the office of U.S. Secretary of Agriculture Mike Johanns, to discuss the organization's opposition to USDA's proposed rule to resume trade of older cattle and beef derived from older cattle with Canada. On June 6, USCA delivered a letter to Secretary Johanns expressing serious concerns with USDA's intention, urging the agency to delay implementation of its Over Thirty Month Rule until beef export markets have been fully reinstated and a re-evaluation of Canada's effective feed ban enforcement date is completed.

"Recently disclosed additional cases of bovine spongiform encephalo-

pathy (BSE) in Canada bring into question USDA's determination that the Canadian feed ban was fully implemented and enforced as of March 1, 1999," said Chuck Kiker, Texas, Chairman of USCA's Animal Health Committee. "At this juncture it would be prudent for USDA to review the effective enforcement date. Evidence shows that five BSE animals in Canada were born after March 1999, two in 2001 and one as late as 2002, demonstrating that the effectiveness of Canada's mitigation measures, and thus the prevalence of BSE in cattle from Canada, is substantially different than the U.S. This difference raises an area of concern in that U.S. export markets are still closed with key trading partners and until those export markets are reopened, an influx of imported cattle will have a negative effect on domestic markets and restoring international trade," continued Kiker. "It is of the utmost importance that USDA recognizes this undeniable fact and continues to ban cattle and beef over thirty months of age from coming into the United States until all of our trading partners are in agreement on what import standards they consider acceptable and we all trade on that level. During the discussion with officials in Secretary Johanns' office, USCA representatives drove this point home and we believe real progress was made."

Other meetings for USCA officials included James Link, GIPSA Administrator; staff representing the U.S. House Agriculture Livestock, Dairy and Poultry Subcommittee; Rep. Rosa DeLauro (D-Conn.) Chairwoman of the Agriculture-FDA Appropriations Subcommittee; and senior staff with the Senate Agriculture Committee chaired by Sen. Tom Harkin (D-IA), where discussions focused on market competition reform and beef check-off reform.

# USCA COOL COMMENTS

Dear Sirs:

The United States Cattlemen's Association (USCA) is pleased to offer comments on the proposed rule requiring mandatory country of origin labeling (COOL) for beef, lamb, pork, perishable agricultural commodities, and peanuts. These comments are submitted in response to the USDA's request for comments for this rule prior to the adoption of the final rules, published at 72 Fed Reg. 33,917 (June 20, 2007).

USCA is a national non-profit organization dedicated to furthering the interests and preserving the economic viability of cattle producers.

## Introduction

In 2002, Congress amended the Agricultural Marketing Act of 1946 by adding a provision for country of origin labeling (COOL) to the Farm Security and Rural Investment Act (Farm Bill). Specifically, this law required retailers of red meats (beef, lamb and pork), fish and shellfish, fresh and frozen fruits and vegetables, and peanuts (covered commodities) to inform consumers of the country of origin of that covered commodity. In this first iteration of what would become years of contentious debate over the viability of, and need for, labeling agricultural products, the law mandated that a beef product could only be labeled "Product of the U.S." if the animal was born, raised, and slaughtered in the U.S. Five years later, in July of 2007, Congress again amended the Agricultural Marketing Act of 1946 by adding conciliatory language regarding different allowable categories for labeling beef products.

The current law maintains the language of the 2002 Farm Bill with respect to U.S. products: a beef product may only be labeled as a product of the United States if i) the beef is from an animal that is born, raised, and slaughtered in the United States, or ii) the beef is from an animal that was born and raised in Alaska or Hawaii and transported for a period of no more than 60 days through Canada to the United States and slaughtered in the United States. The current law amends the Agricultural Marketing Act of 1946 by requiring retailers of covered commodities to label products with a Multiple Country of Origin Meat Label if the product is derived from an animal that is i.) not exclusively born, raised, and slaughtered in the U.S. ii.) born, raised, or

slaughtered in the United States and iii.) not imported into the US for immediate slaughter. The current law further amends the Agricultural Marketing Act of 1946 by

requiring retailers of covered commodities to label beef products with an Imported Meat label if the product is imported into the US for immediate slaughter. USCA accepts this categorical labeling and hopes for immediate implementation.

USCA acknowledges that AMS requests comments considering the Interim Final Rule for Fish and Shellfish and whether the requirements in the interim final rule can also be applied to country of origin labeling for beef and other covered commodities. The comments below address the interim final rule as well as other questions asked by AMS.

## Comments on Processed Food Items

### *Interim Final Rule Processing Changes Not Necessary For 2007 Proposed Rule*

The 2003 Proposed Rule states that because the law excludes products from bearing a country of origin label if that item is a part of a processed food item and does not define what constitutes a processed food item, AMS must then define these characteristics. AMS proceeds to define a processed food item as an item that undergoes a significant physical or chemical change, or one that is combined with other covered commodities or other substantive food components. The Interim Final Rule proceeds to give specific examples of a processed food item, as well as changes that would constitute exclusion from the labeling requirement (e.g., items that are breaded, cooked, cured, marinated, etc.). This reduction in covered commodities was expected to lead to lower implementation costs for affected industries and lower the burden on retailers since breaded shrimp alone constitutes nearly half of all shrimp sold. USCA recommends that such exclusions are not maintained in the 2007 Proposed Rule, as the majority of beef products sold at the retail level are not marinated or breaded, and thus such an exclusion would not significantly reduce implementation costs.

The Interim Final Rule further excluded items that are cooked, as a cooked product has a character that is different than that of a covered commodity and a limited func-

tionality. USCA recommends that these inclusions are also not included in the 2007 Proposed Rule, as the origin information, and the consumer's right to that information, is not altered by a mere character change.

## Country of Origin Notification

### *A. Labeling Requirements for Imported Covered Commodities*

Prior to the Interim Final Rule, the law explicitly defined labeling regarding a US label for products exclusively born, raised, and slaughtered, but did not specify how products not exclusive to the US should be labeled. The interim final rule for fish and shellfish greatly simplified the labeling process for products entering the United States during the production process. This is the same type of labeling requirement accepted by Congress and amended to the 2007 Farm Bill. USCA supports the three-tiered categorical labeling system for US products, Multiple Country of Origin products, and Foreign Import Meat product.

### *Imported Covered Commodities Not Substantially Transformed in the US*

The Interim Final Rule mandates that imported covered commodities should retain the country of origin information as declared to the US Customs and Border Protection at the time the product enters the United States through the final point of sale, so long as the item does not undergo transformation. USCA accepts this mandate, but does not accept that a character change (e.g., dividing into portions, marinating, breading, etc.) constitutes "transformation."

The Tariff Act of 1930 already required covered commodities imported into the US in ready-made consumer packages to identify country of origin information. The Interim Final Rule did not alter or change this requirement. This requirement should likewise remain unaltered in the 2007 Proposed Rule.

### *Imported Covered Commodities Substantially Transformed in the US*

Imported covered commodities that undergo a transformation (as established by the U.S. Customs and Border Protection Guidelines) in the US or aboard a flagged vessel are required to be labeled "From Country X, processed in the US," according to the Interim Final Rule. The language for Multiple Origin Products as accepted by the House for 2007 Farm Bill states that these products would bear a label, "Product of the US and Country X, or Y, or Z." The

2007 Proposed Rule should maintain this language as adopted into law.

#### *Imported Covered Commodities for Blended Products*

The law requires that retailers provide country of origin information at the final point of sale, but it does not address how to label blended products of different origins. The Interim Final Rule further requires that blended products must indicate the countries of origin for covered commodities when the commodities included have not been substantially transformed in the United States. When the commingled product containing covered commodities has undergone substantial transformation within the United States, the interim rule mandates that the label must indicate the countries of origin contained therein, or a listing of the countries of origin which may be contained therein.

The law as amended in 2007 addresses this issue in the same manner as did the Interim Final Rule. Ground products may be labeled with a narrative list of countries from which the product might have originated. The law states that the label may include the phrase “May Contain” on any of these blended products. This simplification allows processors to list all the countries from which the product may include portions, without causing the processor to verify that each product necessarily includes portions from each listed country. This labeling also allows the consumer the opportunity to see the countries from which the blended product likely originated, as a processor is less likely to include countries not applicable to the product. USCA accepts this language for blended products for the 2007 Proposed Rule.

#### *Option of Deriving Information Solely From Pre-labeled Products*

According to the COOL law, suppliers of covered commodities are required to provide retailers with necessary information regarding country of origin for their supplied covered commodities. Following this, retailers were then required to maintain the recordkeeping trail used to establish origin for up to seven days from the point of sale, while maintaining records identifying the supplier and origin information for up to two years. Predicted compliance costs were assumed substantial, forcing AMS to seek alternative methods to decreasing verification compliance costs. The Interim Final Rule significantly reduced these compliance costs by allowing the origin label on a pre-

labeled product to serve as the sole source of documentation, rather than separate documents substantiating origin. The Interim Final Rule further reduced these compliance costs by requiring supporting documentation be maintained for only as long as the product is on the shelf, and while the retailer must maintain documents identifying the supplier for up to a year, said records need not identify origin if already included on the pre-labeled product. USCA suggests this same type of requirement is adopted in the 2007 Proposed Rule.

#### *C. Using Import Markings to Identify Country of Origin*

In an attempt to maintain a verifiable record-keeping trail, the 2003 draft COOL rule stated that meat packers are entitled to “legal access to records” that substantiate their product’s origin claims and that importers as well must substantiate their origin claims. This created a great deal of concern among producers as personally maintained records contain proprietary business information which, when made available to packers would create rampant opportunities for exploitation. The interim final rule addressed these concerns by eliminating that processors must have “legal access” to origin claims, and instead merely states that they “must possess records to substantiate” [claims]. Additionally, the interim final rule only required that importers must ensure that their records “accurately reflect” the country of origin as established in Customs import documents, rather than that they should “substantiate” their origin claims. Given that existing Custom import records already contain the most accurate origin information, additional substantiating documentation is not required. For mandatory country of origin labeling on cattle and beef, the same should be allowed with one improvement: import markings on the cattle should contain the same weight as any other Customs import documents. If these import markings on cattle do carry the same weight, this would allow packers to rely on import markings on cattle as the sole source of identifying country of origin.

Already the law requires that all meat imports must bear, in English, the country from which they originated. Additionally, preexisting health and safety laws exist to ensure that imported cattle from Canada and Mexico are legibly branded with a “CAN” or “M,” or arrive in a conveyance sealed with the seals of the originating government.

Further health laws exist to ensure that all breeding stock imported from Mexico, and not intended for immediate slaughter, are additionally marked with a permanent, metal blue ear tag. Removing cattle from the “J-list” (§ 1304(a) (3) (J)) would ensure that these identifying markings are made permanent and universally applicable. Using these origin markings would continually maintain a verifiable source of information, while serving to significantly reduce compliance costs for producers.

#### **Markings**

USCA accepts the USDA required and approved markings for fish and shellfish products as likewise acceptable for country of labeling markings for beef products.

#### **Recordkeeping Requirements**

##### *Recordkeeping Requirements Simplified in Interim Final Rule*

Initially, the 2003 Proposed Rule required that suppliers and retailers maintain records to identify the previous source and immediate subsequent recipient for each product for a period of two years following the transaction. Due to concerns of excessive compliance burdens, the Interim Final Rule reduced the time necessary to maintain such documents from two years to one. The Agency stated that this amount of time is consistent with the record-keeping retention time as proposed by the FDA under the Bioterrorism Act, while still providing “ample time” for Agency compliance reviews to verify compliance with the rule. For the 2007 Proposed Rule, USCA recommends suppliers and retailers of beef and other covered commodities also maintain records for one year following the point of sale. USCA supports that this amount of time is adequate to ensure compliance without ensuing in unnecessary additional burdens. An added benefit of maintaining this language is a decreased compliance cost for suppliers and retailers of multiple covered products, as they would only have to follow one set of guidelines rather than maintain accurate records for two separate sets of rules for different products.

##### *Interim Final Rule Eliminated Requirement to Document the Chain of Custody*

In addition to maintaining personal records identifying the previous source and subsequent sub-source for a period of two years, the 2003 Proposed Rule further mandates that retailers and suppliers must

Please see COOL on page 8

COOL (continued from page 7)

maintain records to prove the entire chain of custody of the covered commodity. Comments to the proposed rule suggested that this requirement is higher than the standard set forth in the FDA's record-keeping authority and suggested the immediate removal of this additional and unnecessary burden. In the Interim Final Rule the Agency accepted this suggestion, removed the language requiring this chain of custody, and acknowledged that accurately maintained records identifying the source and subsequent sub-source were sufficient documentation to track a product back through the marketing chain. This information should further be sufficient to allow USDA to trace back a product to the original producer, and would produce no additional burden on suppliers and retailers as it is information they must already maintain. Furthermore, USDA has already stated that "in almost all cases, routine business documents will be sufficient record to document chain of custody information."

The term 'one forward and one back' has been used to describe what business documents would be necessary in the event of an audit for country of origin information. USCA agrees with the use of these types of documents as verification of country of origin in the event of an audit. USCA maintains that the lack of a verifiable import marking on live cattle verifies a claim that the animal has never been outside the US.

#### *Interim Final Rule Eliminated Supplier's Duty to Demonstrate Separate Tracking*

The 2003 Proposed Rule required suppliers of similar covered commodities from more than one country to document that the origin of a product was separately tracked while in their control to verify that the identity of a product is maintained. The interim final rule eliminated this requirement due to the condition that suppliers must already provide country of origin and method of production information for each covered commodity. The new rule for country of origin for beef should likewise not include this requirement, but should allow producers, processors, and retailers to maintain records in the most efficient way for their particular operation, so long as their system allows them to provide accurate country of origin information to the retailer as required by the law, that can be transferred to a standardized format in the event of an audit by USDA.

#### *D. Affidavits and Verification Audits Deemed Unnecessary Due to Established Limited Liability*

The 2003 Proposed Rule explicitly stated that an intermediary supplier of a covered commodity found to be mislabeled for country of origin shall not be held liable for reason of another's conduct if said intermediary supplier "could not have been reasonably expected to have had knowledge" of the previous supplier's violation. Meanwhile, as additional insurance for certification claims, AMS considered requiring affidavits and third-party verification audits to further protect intermediary participants in the supply chain. This consideration was ultimately excluded from the interim final rule, as comments were predominately negative and AMS predicted it would be an unjustifiable increase in costs for an already established limitation on liability. USCA supports the decisions to expunge this requirement for affidavits and private audits and suggests that AMS expound upon these limitations in the 2007 Proposed Rule for Beef. In particular, as predicted by AMS, the compliance costs would be unjustifiable and substantial as liability is already limited. Additionally, these compliance costs would almost certainly be borne entirely by cattle producers, as packers and processors pass the costs up the supply chain to the original supplier.

#### *Timeframe for Products Produced Prior to Implementation Date*

Yes a specific time frame should be established. The labeling of covered commodities must be implemented no later

than October 1, 2008 and effective no later than January 1, 2009. Furthermore, animals in the United States and born before January 1, 2008 are exempt from the Rule. Animals imported into the United States after January 1, 2008, regardless of age, must be labeled according to the import documents. However, due to the increased value of labeled commodities, producers, processors, and retailers may label any exempt covered commodity if the origin of the animal can be determined and verified under the definitions of the Final Rule established by USDA

#### **CONCLUSION**

The U.S. House of Representatives has approved H.R. 2419. Included in this legislation are modifications to the original COOL statute included in the 2002 Farm Bill. In addition to the text of H.R. 2419, the House Agriculture Committee included report language intended to clarify the intent of the legislation. USCA urges the USDA to move forward in preparing the proposed rule while being mindful of the legislative text and report language in H.R. 2419.

We are confident, that with input from cattle producers, the USDA will successfully implement Country of Origin Labeling for beef, as they did for fish and shellfish.

Thank you in advance for your consideration of our comment.

Sincerely,

Jon Wooster  
President  
United States Cattlemen's Association





## FOUNDING MEMBERSHIP

USCA has different levels of membership:

Founding Member.....	\$1000.00
(Founding memberships will end on June 1st, 2008)	
Cattle Producer.....	\$100.00/year
Business Member .....	\$100.00/year
College Student.....	\$25.00/year
Junior Member.....	\$25.00/year

To all of USCA Founding Members a huge Thank You! If you aren't a Founding Member but would like to be, you may make payments to USCA to become one. Payments need to be fully made one year after you first joined USCA; just make a note on your check to let our Treasurer know. Founding Memberships will end on June 1st, 2008. All Founding Members receive a beautiful plaque in recognition of your support of USCA.

## SUPPORT USCA BY SHOPPING THROUGH BLOOMEES

Dort Goodman of Kansas, National Membership Committee Co-Chair, has discovered a website that can raise funds for USCA.

Bloomees is a website that has many large companies advertising on their site. Signing up is free and easy. When you sign up, you receive in the mail a discount card for up to 75% savings on your prescriptions at many pharmacies and drug stores throughout the nation.

Then anytime you want to make an on-line purchase at one of the many companies that are on the site, you can sign up to have that rebate of 2.5%-7.5% sent to the non-profit organization of your choice. USCA would appreciate all members signing up and sending their rebate to USCA.

You can go to [www.uscattlemen.org](http://www.uscattlemen.org) for a link to USCA's Bloomees site at <http://usca.bloomees.com/LinkToUs.php>. Anytime you shop, just make sure you shop through this link and the rebate will be sent to USCA.

## USCA COMMITTEES

USCA has formed committees that will address the issues facing the cattle industry such as: COOL, ID, Animal Health, Trade, Competition and the Check-off Committees. A Membership Committee has also been formed. As a USCA member you are welcome to join any committee. USCA welcomes your input and needs your help in driving this organization. Just let us know if you are interested by emailing [usca@uscattlemen.org](mailto:usca@uscattlemen.org)

## U.S. DEPARTMENT OF AGRICULTURE INITIATES COST-BENEFIT ANALYSIS OF NAIS

The U.S. Department of Agriculture has announced that it will initiate a cost-benefit analysis of the National Animal Identification System (NAIS). The agency has selected Kansas State University to lead the multi-institutional analysis with the assistance of co-contributors Colorado State University and Michigan State University. Montana State University will provide an assessment of the economic benefits and costs of NAIS, including all three components of the system: premises registration, animal identification and animal tracing.

"We understand there will likely be challenges associated with completing an unbiased study," said Jon Wooster, USCA President. "It is very important that this analysis examines every aspect of the system, using real-time information that quantifies perceived benefits and prescribed costs. USCA is prepared to monitor progress closely and we will consult with independent experts as data becomes available."

Wooster says the announcement followed high level meetings between USDA officials and U.S. Cattlemen's Association representatives during the third week of June. "USCA directors and members urged USDA officials to initiate this analysis. We are hopeful that this data will provide producers with the cost-benefit comparisons they have been requesting since the inception of NAIS. We eagerly await the findings."

## USCA BOARD AND COMMITTEE MEMBERS TO MEET IN DENVER FOR PLANNING SESSION

U.S. Cattlemen's Association directors and committee members will meet in Denver, Colorado on August 29 for a planning session to discuss and establish both short-term and long-term goals for the organization. Jon Wooster, USCA President, of San Lucas, California says directors will receive a briefing from the group's Director of Governmental Affairs, Jess Peterson, as they plan strategy for the rest of the congressional session. "We must remain vigilant and engaged in the COOL process as the U.S. Senate undertakes Farm Bill debate in September," noted Wooster. "USCA directors will not only develop strategy for this event, but we'll also be exploring how to advance producer interests in other areas such as competition reform, the mandatory beef checkoff, animal identification, property rights and other issues of critical importance to ranchers' viability."

## USCA DIRECTOR EMERITUS LEO MCDONNELL TO SPEAK IN LEWISTOWN, MT

USCA will be having an informational meeting in Lewistown, MT. The meeting will be September 25th at the Eagles Club on Main Street. A social hour will be at 5:00 pm with a hamburger fry (no-host) at 6:00 pm.

The hamburger fry will be \$5.00 per plate.

Leo McDonnell is the featured speaker.

For more information, call Judie Manuel at 406-429-7101.

## USCA WORKS ON THE COOL DELAY

USCA, represented by Jess Peterson, Director of Governmental Affairs, worked the House of Representatives around the clock during debate over the COOL amendment. USCA worked relentlessly to counter the attack on COOL, providing cattle producers with a reasoned, logical voice in the debate.



## FFA AND 4-H PREMISE REGISTRATION

**M**andatory 4-H Premises Registration Plan Under Fire in Colorado Ordway, Colo. - The Colorado Coalition Opposing Mandatory 4-H Premises Registration reports that a number of county commissions throughout Colorado are now on record opposing the mandate and organizers say the coalition has quickly grown in membership numbers as more and more 4-H families and organizations become informed about the policy mandate.

John Reid, Chairman of the Coalition says 13 county commissions are now on record opposing the mandate along with WIFE, Rocky Mountain Farmers Union, Colorado Independent Cattle-Growers Association and hundreds of individual members from across Colorado. "Proponents of the mandate persistently attempt to dismiss coalition supporters as a 'fringe element,'" said Reid. "A cursory glance at coalition supporters demonstrates something very different. We hope that we can resolve this issue through a solution-oriented approach."

Two Colorado legislators are now rallying their peers to support legislation prohibiting the program. Republican State Senator Greg Brophy (R-Wray) is circulating an open letter to members of both chambers of the legislature asking them to join him in the effort to oppose the program. The letter calls for the Colorado Ag Commissioner and Colorado State University administrators to drop the requirement that would permit only those participants who have obtained a federal premises identification number to be eligible for entry into the 2007 Colorado State Fair and at the county fair level with live animal projects covered under the U.S. Department of Agriculture's National Animal Identification System (NAIS).

While the action on the legislative front is welcome news to opponents of the mandatory system, it is cold comfort to youngsters entering the 2007 Colorado State Fair, scheduled to be held in August.

The Colorado Department of Agriculture has entered into a cooperative grant agreement with USDA, wherein the agency has agreed to increase premises registrations state-wide.

## CPoW Meeting

BY LEE ENGELHARDT

It was a beautiful day on Huckleberry Mountain in Southern Stevens County Washington for the annual Stevens County Cattlemen's trail ride. The day was a gathering of like minded cattle folks having a trail ride from the meadow at the bottom of the mountain to the lookout fire station on top for lunch (about 13 miles) and back down a different route of about 5 miles. What a way for folks to get together visit with friends, and maybe make a new one in the process.

Lunch was a nice barbeque in a beautiful setting with strawberry short cake for dessert that was served to about 70 people. Lunch speakers included Dennis McDonald Region 6 Director of United States Cattlemen Association (USCA) from Montana and Ted Wishon President of Cattle Producers of Washington (CPoW). Dennis talked about a lot of the issues affecting our live cattle business on a national and international level and Ted discussed the state and local issues. A lot of questions were fielded about the different things going on in our industry. In my travels I meet a lot of folks but I will say with certainty that cattle people have 3 of the most admirable qualities there are, character, integrity and common sense. Without these traits we would not succeed in this business. As I listened to these two men talk and the folks from the crowd ask their questions it was apparent that these are very astute and savvy folks that are willing to do what is right. They are folks who face change and temper their judgment with character, integrity and common sense.

Our industry is constantly changing but with these traits solidly in our minds we will make our own decisions about how we want to shape our industry for the next generation. We will not allow our industry to continue to be run by a few multinational companies and organizations who continually tell us they know what is best for us. You should feel good about the future and the changes that continue to come.

You folks out on the land have what it takes to lead this industry and country and hand it off to the next generation with a solid foundation because you folks have character, integrity and common sense.

A big thank you to the Stevens County Cattlemen, until next time keep your cinch tight.



Ted Wishon, CPoW President and Lee Engelhardt, USCA Director Region 1



Dennis McDonald USCA Region 6 Director at the CPoW Meeting

## INDEPENDENT CATTLEMEN'S ASSOCIATION OF TEXAS

**Lockhart, Texas – July 31, 2007**

The Independent Cattlemen's Association of Texas hosted its 33rd annual convention and trade show last month in College Station, Texas. "This year's speakers and trade show exhibitors were some of the best we've had," commented Bill Hyman, ICA's Executive Director.

More than 400 ICA members traveled to College Station to take part in the annual event. The educational opportunities presented at this three day event are second-to-none. On Wednesday, ICA, in partnership with the Texas A&M Extension Service, presented "Beef Cattle Basics," a program that taught cattlemen important skills such as low stress cattle handling practices and how to judge quality grade in your own animals. "I thought it was interesting, so I put some of the cattle handling practices to the test at home. They really work! A job that normally would have taken more than an hour, took about thirty minutes using the low stress methods that were taught that day," Bruce Dopslauf, past president of ICA, said with a smile.

Leo McDonnell of the United States Cattlemen's Association addressed the membership. McDonnell spoke of USCA's plan for the future, stance on key issues and the role ICA has played already in the success of USCA in Washington D.C. McDonnell presented ICA with a plaque honoring the association as a charter member of USCA.

H.A. "Peanut" Gilfillian Jr. of Stowell, Texas, was elected the 11th president of the Independent Cattlemen's Association of Texas. A cow/calf producer in Southeast Texas, Gilfillian has a long history of involvement and leadership with ICA on both a state and local level. He and his wife, Tammie, along with their sons Bryce and Austen, have made ICA an integral part of their lives. Gilfillian has the second longest membership in the Southeast Texas ICA, with his parents being the only chapter members who have been

involved longer. Gilfillian attended the ITC hearings in Washington, D.C., on the dumping of Canadian cattle in the U.S. and has participated in many Washington, D.C., fly-ins to support and promote the U.S. cattle industry.

In addition to electing Gilfillian, ICA voting delegates confirmed the executive board and the board of directors during the ICA annual meeting. Serving with Gilfillian on the executive board are 1st vice president Rosalee Coleman of George West, 2nd vice president Phil Sadler of Alba,

secretary Richard Hodge of Pledger, treasurer Curtis Calhoun of Austin, and past president Bruce Dopslauf of La Grange. Dr. John Kahla of Jasper and A.L. "Windy" Miller of Floresville were elected at-large members of the executive board.

ICA was founded in 1974 to provide strong leadership for ranchers and has grown from its 17 original members to become a voice for thousands of Texas cattle producers. For information on joining ICA, visit [www.icatexas.com](http://www.icatexas.com).

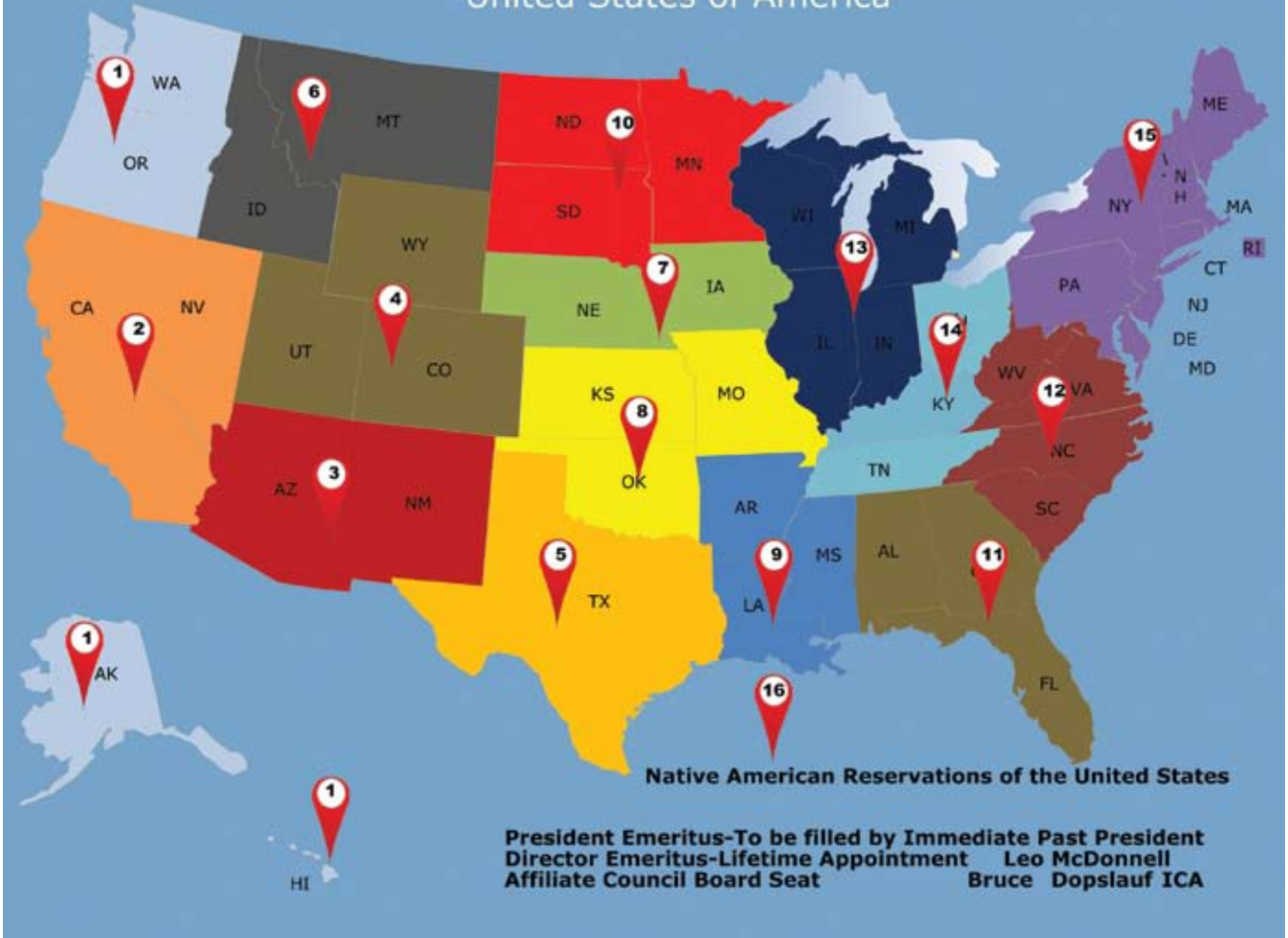


*Elected as Independent Cattlemen's Association of Texas Executive Board for 2007-2008 were Dr. John Kahla, Jasper, at large; Phil Sadler, Alba, 2nd vice president, Curgis Calhoun, Austin, treasurer; H.A. "Peanut" Gilfillian Jr., president; Bruce Dopslauf, LaGrange, past president; Richard Hodge, Pledger, secretary; and A.L. "Windy" Miller, Floresville, at-large. Not pictured: Rosalee Coleman, George West, 1st vice-president.*



*Three former Presidents of ICA took a break to strike a pose. L-R: Bruce Dopslauf of La Grange, Chuck Kiker of Beaumont, and Tommy Guerra of Roma.*

# United States of America



President		Jon Wooster	San Lucas, CA	831-385-5316
Region 1	Washington, Oregon, Alaska, Hawaii	Lee Engelhardt	Moses Lake, WA	509-766-0161
Region 2	California, Nevada			
Region 3	Arizona, New Mexico	Chase Carter	Clayton, NM	505-374-2052
Region 4	Utah, Wyoming, Colorado	Doug Zalesky	Hesperus, CO	970-259-7118
Region 5	Texas	Chuck Kiker	Beaumont, TX	409-842-5070
Region 6	Montana, Idaho	Dennis McDonald	Melville, MT	406-537-2333
Region 7	Nebraska, Iowa	Jim Hanna	Brownlee, NE	308-748-2233
Region 8	Kansas, Missouri, Oklahoma	Alan Sents	Marquette, KS	620-241-7283
Region 9	Arkansas, Mississippi, Louisiana			
Region 10	North Dakota, South Dakota, Minnesota	Denni Beer	Keldron, SD	605-524-3383
Region 11	Florida, Georgia, Alabama			
Region 12	West Virginia, Virginia, North Carolina, South Carolina	Jay Miller	Washington, VA	540-675-1674
Region 13	Michigan, Illinois, Wisconsin, Indiana			
Region 14	Ohio, Kentucky, Tennessee			
Region 15	Pennsylvania, New York, Rhode Island, Connecticut, Maine, Maryland, Vermont, New Hampshire, New Jersey, Massachusetts, Delaware			
Region 16	Native American Reservations of the United States			
President Emeritus	Will be filled by USCA's immediate past president	Leo McDonnell	Columbus, MT	406-322-5597
Director Emeritus	Lifetime appointment	Bruce Dopslauf	LaGrange, TX	979-247-4255
Affiliate Council	Yearly appointment from USCA affiliates: ICA			