

JON WOOSTER/LEO MCDONNELL JOINT EDITORIAL
USCA Newsletter Special Edition: COOL

COOL Supporters,

Now more than ever, your membership, and that of your friends and neighbors, in the U.S. Cattlemen's Association (USCA) matters.

In July, the USCA board of directors voted unanimously for the organization to become a defendant-intervenor in a lawsuit filed in the U.S. District Court for the District of Columbia by plaintiffs seeking to end the U.S. country of origin labeling (COOL) program. USCA was quickly joined in this effort by three other groups: National Farmers Union (NFU), the American Sheep Industry Association (ASI) and the Consumer Federation of America (CFA). Together, these four groups provide a balanced legal approach representing the U.S. livestock production sector as well as consumers before the court. On August 19, the court granted our motion.

As defendant-intervenor, we are permitted to brief the court on issues and participate in oral arguments, thereby buttressing the defense provided by the

U.S. Department of Agriculture and giving voice to the thousands of producers across the country who support COOL.

The nine plaintiffs in this lawsuit are the National Cattlemen's Beef Association, National Pork Producers Council, American Meat Institute, North American Meat Association, Canadian Cattlemen's Association, Southwest Meat Association, Canadian Pork Council, American Association of Meat Processors and Mexico's National Confederation of Livestock Organizations. Make no mistake, these plaintiffs are well-funded and they are seeking through the litigation to prevent USDA from imple-

menting its revised COOL regulations.

On July 26, 2013, the plaintiffs filed a motion for preliminary injunction, asking the court to block USDA from implementing COOL until their lawsuit is concluded. The court subsequently denied their motion on September 11. The next day, the nine plaintiffs filed a notice of appeal of the denial of the preliminary injunction with the district court, starting the appeal process to the U.S. Court of Appeals for the District of Columbia Circuit ("DC Circuit"). Such appeals are entitled to expedited consideration and

Please see EDITORIAL on page 2

JON WOOSTER



LEO MCDONNELL



**JOIN US FOR THE USCA ANNUAL
MEMBERSHIP MEETING DURING THE NFR!
TUESDAY, DECEMBER 10
Las Vegas, NV at The Orleans**

Reservations may be made by calling the hotel directly at 800/675-3267 and identifying yourself as a member of the United States Cattlemen's Association, or they may be made on line at www.orleanscasino.com and using reservation ID A3CAC12. Group rates are \$36.00 per night for double occupancy for December 8 - 11 and \$72.00 for the night of December 7th. There is a mandatory \$6.00 daily resort fee. Reservations must be made by November 7th for these special rates. A photo ID is required at check-in.

COOL Lawsuit Timeline

May 23 ~ Department of Agriculture (USDA) publishes final COOL revised regulations and notifies the World Trade Organization (WTO) that the U.S. has come into compliance with the WTO ruling finding certain aspects of U.S. COOL violate U.S. trade obligations.

July 8 ~ A lawsuit is filed in the U.S. District Court for the District of Columbia (USDCDC) seeking to have USDA's final COOL revised regulations declared invalid and permanently enjoined. Plaintiffs in the lawsuit are the National Cattlemen's Beef Association, American Meat Institute, American Association of Meat Processors, Canadian Cattlemen's Association, Canadian Pork Council, National Pork Producers Council, North American Meat Association, Southwest Meat Association and Mexico's National Confederation of Livestock Organizations.

July 15 ~ The U.S. Cattlemen's Association (USCA) announces it will lead an intervention in the lawsuit. USCA is subsequently joined in the intervention by National Farmers Union (NFU), the American Sheep Industry Association (ASI) and the Consumer Federation of America (CFA).

July 26 ~ Plaintiffs file a motion for a preliminary injunction with the USDCDC.

August 9 ~ USCA, NFU, ASI and CFA file a motion to become defendant-intervenors in the lawsuit. The groups also file an answer to the plaintiffs' amended complaint and opposition to the motion for a preliminary injunction.

August 16 ~ Plaintiffs file opposition to USCA, NFU, ASI and CFA motion to intervene and a reply to

the opposition to the motion for a preliminary injunction.

August 19 ~ USDCDC grants the motion to intervene filed by USCA, NFU, ASI and CFA. (The groups become what's known as defendant-intervenors and are now able to file briefs and participate in oral arguments before the court pertaining to this lawsuit).

August 22 ~ Plaintiffs file reply to the defendant-intervenors' opposition to the motion for a preliminary injunction.

August 27 ~ A hearing is held before U.S. District Judge Ketanji B. Jackson on the plaintiffs' motion for a preliminary injunction. (Plaintiffs, defendants and defendant-intervenors participate in the hearing.)

September 11 ~ The court denies plaintiffs' motion for a preliminary injunction and issues a memorandum decision.

September 12 ~ Plaintiffs file appeal of the denial of their motion for a preliminary injunction with the U.S. Court of Appeals for the District of Columbia.

September 23 ~ Appellants file their main brief and a joint appendix with the U.S. Court of Appeals for the District of Columbia.

October 23 ~ Deadline for the government and defendant-intervenors (USCA, NFU, ASI, and CFA as appellee intervenors) to file response briefs.

November 1 ~ Deadline for appellants-plaintiffs to file their reply briefs with the U.S. Court of Appeals in the appeal of the preliminary injunction decision.

A date has not yet been identified for oral arguments in the preliminary injunction appeal.

EDITORIAL (continued from page 1)

as this is written, briefing is underway with the Appellants (the nine plaintiff groups) having filed their first brief on September 23 and with opposition briefs from the government and the intervenors due later this month. Appellants will file a reply brief on November 1 and oral argument at the DC Circuit will be held after that. USCA, NFU, ASI and CFA are, of course, participating in those briefings as appellee-intervenors and we will continue to present the very best COOL defense possible. In this special edition of the USCA newsletter you will find a timeline of events that have occurred surrounding the COOL lawsuit. The effort of the plaintiffs to obtain a preliminary injunction is just one part of the litigation, as the U.S. District Court for the District of Columbia will be addressing the merits of the lawsuit next. Any determination on the merits will itself be subject to potential appeal by plaintiffs or by the government or defendant intervenors.

The U.S. Cattlemen's Association represents cow-calf producers. USCA members believe strongly that U.S. producers have the right to label their product with a U.S. label and they also believe consumers have the right to truthful labeling information at the point of purchase. USCA members understand that in order to compete in a growing global market we must differentiate our product and maintain the identity of the U.S. cow herd.

Although the COOL lawsuit has absorbed much of our time and resources in the past several months, USCA is not a single-faceted cattlemen's organization. Since USCA's inception in 2007, we have maintained a presence in Washington, D.C. to ensure that the voice of the

U.S. cow-calf producer is heard on policy issues. We have worked diligently to provide that voice in a manner that's respectful but also in a manner that's reasoned, credible and consistent. That hard work has paid off. Today, USCA is a primary called-upon resource for policy-makers and administrators when it comes to issues that impact the cattle industry. The level of access USCA

has on Capitol Hill is a very valuable asset and we have enjoyed many successes. Currently, USCA is engaged in not only a defense of COOL but also passage of a farm bill, beef checkoff enhancement and reform, animal health and animal identification issues, international trade policies, and property rights and environmental matters. The list of challenges that our industry currently faces is lengthy. USCA has managed to do all of this on a no-frills budget that doesn't invest in plush offices or bloated expense budgets. USCA exists solely on membership dues.

USCA's reputation has been built on credibility, honesty and passion for the ranching way of life. If USCA is to grow to the next level, we must increase our membership. There is formidable strength in numbers. Our goal is to grow USCA's membership by 1,000 members in the next several months. If we are to succeed in reaching that goal, we need your help. If you're not a

USCA member yet, please consider becoming one. If you are already a USCA member, please consider asking your friends and neighbors to join by sharing the membership form included in this newsletter. The challenges we face are many but those challenges can be met and they can be met successfully if we unify and put our collective influence

to work. Together we can build a better future for the next generation of cattle producers.

If you have any questions or comments, please feel free to contact one of us. We look forward to working with you as we move forward.

the

GINGER HILL LINE



Ginger Hill Angus
Washington, VA
Brooks Miller - 540-522-8363
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Ginger Hill Real World Premiums
Angus Bull & Female Sale
Saturday, November 23, 2013 | Noon
At Culpeper Agricultural Enterprises | Culpeper, VA



GINGER HILL GAMER 105
CED +8, BW +4, WW +48, YW +101,
SC +1.56, Milk +24, WR 105, YR 117



GINGER HILL REALLY WINDY 213
CED +14, BW -1.3, WW +53, YW +87,
SC +1.36, Milk +22, WR 105



GINGER HILL TREASURE 233
CED +7, BW +2, WW +56, YW +92,
SC +1.36, Milk +26, WR 108



GINGER HILL QUEEN 781
CED +3, BW +2.3, WW +50, YW +87, SC +.77,
Milk +25, WR 3@104, YR 3@105

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After 55+ years of focusing on traits that ensure ranch profitability and avoiding fads, Ginger Hill Angus is proud to offer a set of heavy muscled, masculine bulls and feminine females. The bull offering has been developed on grass with a pelleted supplement to ensure soundness, fertility and longevity. These eye appealing, and athletic bulls are backed by generations of a line bred, easy fleshing, maternally oriented and functional cowherd designed to work and excel on grass and grass hay without supplementation. Selections of fall cow/calf pairs of this breeding are being offered sale day. 1% of the Bull Sale proceeds will be donated to the USCA COOL Legal Defense Fund.

Sale Managed by:
American Angus Hall of Fame
(816) 532-0811
angushall@earthlink.net

Selling: 35 Fall Yearling Bulls
10 Two-Year-Old Bulls
25 Fall Cow/Calf Pairs
50 Bred Commercial Heifers
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Request A Sale Book @ GingerHillAngus.com or by calling 540-522-8363



P.O. Box 339 ~ San Lucas, CA 93954 ~ Telephone: (831) 385-5316
web: www.uscattlemen.org ~ email: usca@uscattlemen.org

MEMBERSHIP—DONATION FORM

STATEMENT OF PURPOSE

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 _____ County _____ State _____ Zip _____

Phone _____ Email _____

Own cattle: _____ Yes _____ No Tribal Member: _____ Yes _____ No

Annual Membership Dues:

- Cattle Producer (more than 50 head) ~ \$100 per year
- Cattle Producer (50 head or less) ~ \$50.00 per year
- Business Member ~ \$100 per year
- Student Member (22 & younger) ~ \$25 per year

Premier Memberships: For Those Members Who Wish To Increase Their Support of USCA

- MAVERICK level \$150 to \$499
- WRANGLER level \$500 to \$999
- DROVER level \$1000 or more

Affiliate Organization Membership Dues:

- 1 to 100 members ~ \$100 per year
- 101 to 999 members ~ \$1 per member
- 1000 members or more ~ \$1,000 per year

- Donation Only
(I do not wish to become a member at this time)

AMOUNT REMITTED: _____

Recruited By:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

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

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

**UNITED STATES CATTLEMEN'S ASSOCIATION
P.O. Box 339 ~ San Lucas, CA 93954
Your Support is Appreciated!**

Contributions are not deductible as a charitable contribution but a portion (46%) may be deductible as a trade or business expense if ordinary and necessary to the conduct of the taxpayer's business.

Fellow Cattle Producers,

USCA was established in 2007 by a core group of ranchers just like you to fill a void in Washington, D.C., where cow-calf producers and independent small feedlot operators did not have a full-time presence working on issues that impacted their operations. On a shoestring budget and with a handful of volunteers, USCA went to work to monitor policy development on Capitol Hill, relay information to directors and members and address issues according to USCA's member-driven policy. Brick by brick, USCA members and staff have built a reputation in Washington, D.C., that's based on credibility, honesty and a passion for the industry. Today I am proud to report that the hard work has paid off; USCA has become a primary called-upon resource for policy-makers and administrators when it comes to issues that impact our industry.

We Are Making a Difference:

- **Mandatory National Animal Identification.** When the Department of Agriculture was poised to implement a mandatory national animal identification plan and the National Cattlemen's Beef Association (NCBA) tried to position itself as the administrator of the program, USCA was there battling on your behalf. In fact, this particular issue gave birth to USCA's Washington, D.C., fly-ins. We enlisted the power of grassroots ranchers, brought them to Capitol Hill, and arranged meetings with lawmakers and administrators where they made their case in opposition to this federal mandate.
- **Fly-Ins.** The fly-ins were so effective on the animal identification issue that we now hold three or four every year, and legislators, their staff and agency officials are regularly in contact to make sure they have these events on their schedules in advance.
- **COOL.** When NCBA and its allies filed a lawsuit to block the implementation of COOL, the USCA board of directors didn't hesitate to take the lead; the board voted unanimously to intervene in the lawsuit and not at a minor level that permits limited involvement. Rather, the board voted unanimously to seek status as a defendant-intervenor, allowing USCA to fully brief the court and participate in oral arguments side-by-side with the attorneys representing the Department of Agriculture. The USCA board is absolutely committed to the defense of COOL and the right of U.S. cattle producers to differentiate their product for consumers.
- **Beef Checkoff Reform.** One of USCA's priorities is beef checkoff reform. While USCA policy supports the national mandatory beef checkoff, our policy also calls for enhancements that will strengthen the program and put more control in the hands of the stakeholders who pay \$1 a head. The Secretary of Agriculture has made clear his interest in improving the checkoff. The Secretary's request that the industry make an attempt to come to some consensus on the changes needed is reasonable. USCA responded to the Secretary's request and, together with National Farmers Union, coordinated industry-wide meetings where a national dialogue is currently underway about improving the checkoff.
- **Horn Wrap.** Stay informed! As USCA has grown, so has our outreach effort. Members from across the country participate in regular conference calls, including the biweekly Horn Wrap calls hosted by USCA Executive Vice President Jess Peterson where the latest issues and hot-button topics are discussed. We provide member email alerts on industry matters and issue press releases on a regular basis. The USCA website at www.uscattlemen.org is a valuable and eye-appealing resource.

As President of USCA, I've learned some things:

- It is important to have a national organization devoted solely to cow-calf producers and small independent feeders, where our interests are respected and advanced instead of being silenced and smothered by corporate feeders and multinational meat packers.
- It is crucial for an organization to conduct itself as a reasoned and credible entity on Capitol Hill because that's how trust is earned in a town where trust is a precious commodity.
- Membership numbers are important, and they translate into influence in the policy arena. Now, more than ever before, your membership support matters.

It's time for USCA to grow to the next level, and I invite you to be part of the process. Our goal is to increase our membership by at least 1,000 members in the coming months. If you are not currently a member, I urge you to review what we have done to help your industry and then become not only a proud member of USCA but also an advocate for our organization.

There are many, many people right now, donating their time and their dollars to help our industry, and it is working. Please add yourself to that list by sending in a membership form with minimum dues of \$100 (\$50 if you have less than 50 head of cattle). Adding an additional amount to your dues won't increase your membership benefits, but it will allow us to do more for the industry.

Thank you for your consideration.

Sincerely,

Jon Wooster, President
United States Cattlemen's Association



UNITED STATE CATTLEMEN'S ASSOCIATION

P.O. Box 339
SAN LUCAS, CA 93954

SCHEDULE

of upcoming events

- Tuesday, October 22: Lewistown Livestock Market, MT; Rollover sale (noon)
- Tuesday, October 22: Heavy Horse Bar; Roberts, MT; BBQ and COOL update; 6:00pm
- Wednesday, October 23: Western Livestock, Great Falls, MT; Rollover sale (noon)
- Friday, October 25: Bear Paw Livestock, Chinook, MT; Rollover sale (noon)
- Saturday, November 9: Davenport Livestock Exchange, Davenport, WA
- Saturday, November 9: Kansas Cattlemen's Association Annual Convention, Dodge City, KS
- Saturday, November 23: Ginger Hill Angus, Culpeper, VA