

03-080-1
L 29**Elaine Smith**

From: "Elaine Smith" <7Phereford@starband.net>
To: <regulations@aphis.usda.gov>
Sent: Friday, April 02, 2004 1:00 PM
Subject: RE: Docket No. 03-080-1

April 2, 2004

Docket No. 03-080-1

Regulatory Analysis and Development

PPD, APHIS, Station 3C71

4700 River Road, Unit 118

Riverdale, MD 20737-1238

Sent Via E-Mail: regulations@aphis.usda.gov**Re: Docket No. 03-080-1**

Dear Administrator:

We are cattle producers from Grant County, Oregon and we are writing to urge you to immediately withdraw your proposed rule to establish a minimal-risk region, to add Canada to that region, and to reopen the Canadian border to live cattle and beef. We further urge you to immediately retract the USDA decision to allow boxed beef into the United States from Canada.

This rule fails to reflect the elevated risk to the economic viability of our cattle ranch and the entire United States cattle industry. Instead of relaxing our standards, the USDA should begin identifying all cattle that have been imported into the U.S. from Canada over the past 10 years. These cattle are a high-risk population as they originated in a BSE infected country. We urge you to begin identifying and permanently marking these imported animals to ensure there is no mistaken identity should any of these imported cattle be infected with BSE.

Our reasons for asking this are following this letter.

Sincerely,


Mike and Elaine Smith

30339 N. River Rd.

Prairie City, OR 97869

**USDA Should Not Weaken U.S. Standards for Protection Against Bovine Spongiform
Encephalopathy (BSE) "Mad Cow Disease"**

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4/3/2004

Because of the threat of bovine spongiform encephalopathy (BSE) or "mad cow" disease, imports of Canadian cattle and beef represent an increased and unnecessary risk to the health and safety of the domestic and international consumer, the United States cattle herd and to the economic viability of the United States cattle industry.

Canada does not meet the internationally recognized standard for classification as a "Minimal BSE-Risk Country or Zone" under the standards of the Office International des Epizooties (OIE), the World Organization for Animal Health. Consequently, it must be considered a "Moderate BSE-Risk Country or Zone" under the OIE standards.

Prior to the discovery of BSE in a Canadian cow in May 2003, Canada, met the OIE criteria to be classified as a "BSE Provisionally Free Country or Zone." The United States continues to meet the OIE criteria of a BSE Provisionally Free Country or Zone.

If the United States begins importing cattle from Canada under the USDA's proposed rule, other than Mexico, the United States would be the only major beef importing country to accept Canadian cattle and beef.

Canada allows animal blood to be fed to cattle. BSE could be transmitted through this practice. The U.S. has banned blood from its cattle feed.

Canada allows rendered animal fat from all species to be included in cattle feed. BSE could be transmitted through this means. The U.S. has banned this practice also.

Canada has not prohibited downer or non-ambulatory animals (animals that are potentially infected with BSE) from the entire human food chain as has the United States. Canada only prohibits such cattle if they are destined for export.

Canada has offered no scientific proof that it has either contained or eradicated BSE from its cattle herd and the United States has no scientific evidence with which to establish the prevalence of the disease in Canada.

The December 23, 2003 case of BSE in a Canadian cow exported to Washington State revealed how quickly a single, contaminated carcass could spread to seven states and how ill-prepared the United States was in preventing the carcasses' introduction into the food chain.

The USDA is proposing to abandon part of the U.S.'s historical and scientifically validated prevention strategy without any scientific justification or sufficient protections.

The proposed rule would lower U.S. standards to allow imports of cattle and beef from countries, such as Canada, that do not meet our current high standards for detection and prevention of animal diseases.

The only BSE prevention strategy that has been scientifically validated by independent scientific experts is the United States longstanding and two-prong prevention strategy of

Banning the practice of feeding cattle blood products, meat or fat from other ruminant animals (typically sheep or other cattle) and

Prohibiting beef and cattle imports from countries known to have BSE.

The USDA should cancel its proposed rule establishing: (1) a Mad Cow Disease "Minimal-Risk Region;" (2) Adding Canada to that Region; and, (3) Re-opening the Canadian Border to Live Cattle and Beef.

The proposed rule is contrary to the scientifically established and internationally accepted disease standards set by the World Organization for Animal Health (Office International des

Epizootics (OIE)) and relied upon by over 160 World Trade Organization member countries to determine the BSE risk associated with trading with various countries.

The proposed rule deviates substantially from internationally accepted BSE standards, and will convey the message to export customers that the United States manufactures its own science.

Other cattle and beef importing countries will not recognize the manufactured, minimal-risk region, and will continue evaluating Canada based on the internationally accepted OIE standards, therefore, the United States will likely become the dumping ground for commodities rejected by other countries.

The proposed rule is contrary to the United States time-honored disease prevention strategies of prevention/avoidance and containment.

The United States most effective disease management strategy has been to contain a disease outbreak within a specific geographical region. Allowing Canadian cattle to enter the U.S. before Canada contains or eradicates BSE from its herd is a contradiction of the United States historically successful disease management strategy.

The proposed rule constitutes a departure from the core mission of USDA-APHIS to protect the United States borders from foreign animal diseases.

The proposed rule ties the future of the United States cattle industry to the health of the Canadian cattle herd by saddling the United States cattle industry with Canada's known disease problem.

- The underlying rationale for the proposed rule is the Harvard risk assessment that assumes the introduction of BSE into the United States. The responsibility of APHIS, however, is to protect the United States herd from the introduction of BSE rather than to assume, without scientific evidence, that the disease is prevalent within the domestic herd.

The proposed rule ignores the high-risk cattle population in the United States comprised of cattle imported from Canada, a country known to be infected with BSE, during the past decade.

The proposed rule does not adequately assess the potentially negative economic impacts to the United States cattle industry.

USDA's economic analysis of the impact of the proposed rule does not analyze the impact on U.S. producers of the likely sudden surge of imports into the U.S. beef and cattle markets as a result of the new regulations.

The proposed rule ignores the potential economic impact should Canada discover additional cases of BSE while the United States is known to be importing Canadian beef and cattle