



TEXAS CATTLE FEEDERS ASSOCIATION

NEWSLETTER

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TCFA Urges Reopening Of Comments On FDA Enhanced Feed Ban. In comments filed this week, TCFA opposed the enhanced feed ban and urged FDA to reopen the rule for additional comments. Despite very effective BSE control protocols including strong industry compliance and partnership, FDA seems intent on moving forward with this unnecessary and problem-causing rule. The agency has stated these additional regulations are intended to provide extra safeguards against BSE. However, FDA has failed to produce any evidence that the new guidelines would further that goal or that it would provide any meaningful improvements to food safety and animal health as a whole. To the contrary, the rule has caused very serious economic, disposal and environmental problems. The rule should be delayed longer than the 60 days which FDA is contemplating. We urge FDA to complete a risk assessment and reconsider the need for this rule.

EPA On Greenhouse Gases: After a review ordered in 2007 by the U.S. Supreme Court, the Environmental Protection Agency issued a proposed finding today (April 17) that greenhouse gases contribute to air pollution that may endanger public health or welfare. The proposed finding, which now moves to a public comment period, identified six greenhouse gases that pose a potential threat. The six gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

As noted in "TCFA At Work For You" (see below), TCFA and NCBA are already reviewing and preparing comments on other Obama Administration environmental proposals. This action will be closely reviewed by TCFA staff.

Ethanol Blend: EPA Is Seeking Public Comments on a waiver application to increase the amount of ethanol that can be blended into a gallon of gasoline to up to 15% (E-15). Since 1978, the limit has been at 10% ethanol for conventional (non flex-fuel) vehicles. The comment period will be open for 30 days after the notice is published in the *Federal Register*. Growth Energy and 54 ethanol manufacturers submitted the E-15 application to EPA on March 6. Current statute calls for EPA to make a decision within 270 days of receipt, which is December 1, 2009. For more information on the E-15 request go to <http://www.epa.gov/otaq/additive.htm>.

Ban On The Harvesting Of Non-Ambulatory Cattle Went Into Effect Today (April 17). The final rule, first issued by USDA during the Bush Administration, amends the federal meat inspection regulations to require that all cattle that are non-ambulatory at any time prior to harvest at an official establishment, including those that become non-ambulatory after passing ante-mortem inspection, be condemned and properly disposed of according to FSIS regulations. Cattle that become non-ambulatory from an acute injury after ante-mortem inspection are no longer eligible to proceed to harvest as "U.S. Suspects." Instead, FSIS inspectors will tag these cattle as "U.S. Condemned" and prohibit these cattle from proceeding to harvest.

However, the rule will allow custom operators to process, for the owner's personal use, cattle that become non-ambulatory after they are delivered to the processor if the operator does not observe any conditions that would make the animal unfit for human consumption. Under that exception, meat from such animals is restricted to the producer's personal use.

Rush Limbaugh Teaming Up With Animal Rights Radicals? Many Rush fans have been stunned to learn that the conservative talk show host has become an advocate for the Humane Society of the United States (HSUS). Rush has even narrated two commercials on behalf of HSUS, which can be heard at http://www.hsus.org/press_and_publications/press_releases/rush_limbaugh_records_audio_041409.html.

Rush is probably like many supporters of HSUS – well-intentioned in wanting animals to be treated with compassion but uninformed about the organization's real mission. To help Rush learn the truth about HSUS, TCFA encourages you to send a message to him at: ElRushbo@eibnet.com.

Please feel free to use all or part of this sample message:

Rush,

Because we share many of the same conservative beliefs, I am very saddened to learn of your support for an organization that is working hard to put all cattlemen, including me, out of business. The Humane Society of the United States (HSUS) has long pursued a goal of putting an end to all animal agriculture.

I know you believe in doing solid research. If you really check into what HSUS is up to, you will find that – despite having \$200 million in assets – HSUS does not operate a single animal shelter nor provide financial support for local humane societies or shelters. HSUS is nothing other than a radical political organization determined to force all Americans to eat a vegan diet and forfeit the unique nutritional properties of beef.

Many well-intentioned people have been duped into donating their hard-earned dollars to HSUS because the drive-by media refuses to expose the truth about HSUS. I hope your show will become a place where people can get the facts about this organization's real agenda.

Sincerely,

Cutout Values Have Jumped This Week. On Thursday, the Choice cutout was \$147.90, up \$9.94 from Thursday of last week. Select was \$145.58, up 7.94, and the weighted cutout was up \$9.23. TCFA Market Director Don Close said the underlying reason for the spike is that retailers were caught short and were forced to be more aggressive in the spot market. We are finally to the post-Easter period and are expecting to see the first run of ads promoting the spring grilling season soon. Also, retailers will be buying this week for Mother's Day — one of the top three beef usage weekends of the year.

Cattle Theft Bill. The Texas Senate has passed legislation sponsored by Senator Kel Seliger (R-Amarillo) elevating theft of cattle and other livestock to a third degree felony. The bill (SB 1163) was approved by a 28-2 vote and sent to the House of Representatives for consideration. TCFA applauds Senator Seliger and the Texas Senate for passing this legislation and urges the House to follow suit. In 1993, the Texas Legislature lowered the theft of less than 10 head of livestock from a third degree felony to a state jail felony. Not surprisingly, cattle theft has since risen, especially during tough economic times. In 2007, 2,400 head of cattle were reported stolen to the TSCRA Special Rangers, and that number jumped to 6,404 in 2008.

...TCFA At Work For You...

In Recent Weeks, TCFA Staff:

- Joined TCFA officers in meeting with state legislative leaders to discuss TCFA positions on several issues including property rights, water, environmental regulation, trucking and funding for ag research, TB and fever tick programs.
- Spoke to Department of Homeland Security on bioterrorism research programs of importance to cattle feeders.
- Met with NCBA and other state affiliates on research and issues management needs to address environmental and animal care issues.
- Submitted comments on federal regulatory programs involving environmental permits for feedyards and FDA enhanced feed ban.
- Participated in the annual water quality assessment meeting for the Red and Canadian River watersheds.
- Participated in meetings with USDA and the Texas Animal Health Commission on Bovine TB requirements.
- Successfully completed a semi-annual audit conducted by USDA on the TCFA Quality Systems Assessment Program for Age and Source Verification of Cattle for the Japan market.
- Met with the Federal Air Quality Project research team to conduct a technical review of EPA's proposed rule on mandatory reporting of greenhouse gas emissions.
- Met with Texas Veterinary Medical Diagnostic Laboratory and industry representatives to discuss current and future capabilities and services of the diagnostic lab.
- Attended train-the-trainer safety program offered by the Texas Engineering Extension Service to further enhance TCFA staff capabilities.

At The G8 Agricultural Ministerial Meeting, Beef Trade With Japan Is An Issue Ag Secretary Tom Vilsack wants to address. According to *Reuters*, Vilsack told reporters, "I hope to have at least a brief conversation about how we can reassure the Japanese market that we have quality beef that should be available to their consumers. We obviously have work to do in terms of convincing our trading partners that we have the highest quality and best prices." Currently, Japan only accepts U.S. beef from cattle 20 months of age or younger. The G8 meeting in Italy begins tomorrow (April 18).

BSQA Feedyard Employee Trainings Scheduled. TCFA, in conjunction with Texas AgriLife Extension Service, will host four employee training sessions covering the TCFA Beef Safety Quality Assurance Program. Dr. Ted McCollum, Extension Beef Cattle Specialist, and other extension staff will help feedyard employees learn all the important details of the BSQA program and help them understand how their jobs play a role in beef safety and quality. North Plains training sessions are scheduled for Tuesday, May 12 in Dalhart at the Old Youth Center Building from 8:30 a.m. to 11:30 a.m. and in Perryton at the Ochiltree County Expo Center from 2 p.m. to 5 p.m. South Plains training sessions are scheduled for Thursday, May 14 in Hereford at the Hereford Community Center from 9 a.m. to noon and in Friona at the Hi-Pro Feeds Conference Room from 1 p.m. to 4 p.m. For more information on these training sessions, watch your mail or contact Trent Tyson at (806) 358-3681 or trent@tcfa.org.

The Annual TCFA Fed Beef Challenge took place this week at the historic Amarillo Livestock Auction in Amarillo. The 2009 contest showcased 114 of the best fed cattle in Cattle Feeding Country, all vying for awards and cash prizes. In other activities throughout the day, more than 200 people participated in live evaluation contests and the ever-popular free steak feed. In addition, more than \$1,500 was raised for the TCFA Education Foundation. See next week's *Newsletter* for information on the winners in the Fed Beef Challenge.

Wind Erosion Assistance: USDA-NRCS is offering technical and financial assistance to landowners impacted by drought and wildfires. NRCS has set aside funding through EQIP to assist with livestock grazing deferment, erosion control and cross-fencing. High winds, low humidity and prolonged drought conditions led to recent wildfires in several Texas counties and many landowners are faced with making plans for rangeland recovery.

Landowners impacted by recent wildfires are encouraged to contact their local NRCS district conservationist to seek assistance. NRCS can provide technical and financial assistance to install measures that reduce post-fire damage and aid in the rehabilitation process.

To apply for EQIP, landowners must visit their local NRCS office. Applications will be ranked and those approved for funding will be offered a contract. Current eligible counties include Archer, Clay, Comanche, Eastland, Hamilton, Jack, Montague, Palo Pinto, Shackelford, Stephens, Taylor, Throckmorton, Wheeler, Wichita and Young. For more information and listings for additional USDA Service Centers, look in the phonebook under United States Department of Agriculture, or access the information on the Texas NRCS website at www.tx.nrcs.usda.gov.

Seeking To Strengthen The Nation's Livestock Traceback System, Ag Secretary Tom Vilsack began a series of listening sessions with various stakeholders this week. NCBA and Public Lands Council (PLC) representatives participated in one such discussion on Wednesday.

NCBA recognizes and supports the need for NAIS but prefers that the program remain voluntary, rather than mandatory as Vilsack is contemplating. NCBA members are particularly concerned about the protection of producers' confidential information, which would be housed in a USDA-maintained database. The federal government has not demonstrated a strong track record when it comes to preventing the leak of private information, and USDA has not been able to guarantee that the information in a mandatory system would be protected from release under a Freedom of Information request. USDA's Office of General Counsel has indicated that protection is different between a voluntary and mandatory system.

NCBA is also concerned about the system's ability to move at the speed of commerce. The production, processing and marketing of cattle cannot slow down in order to be scanned and entered into the system.

In order to ensure the implementation of an animal identification system that is workable for both animal health and production agriculture, Vilsack was urged to consider the following recommendations:

- The structure and requirements of a system should mirror the flow of production and commerce.

- The collection of information about producers must be kept utterly confidential and released only in response to an animal disease outbreak and only to regulatory officials dealing with disease outbreak control and eradication.
- The cost to producers for participating in the system should be minimized to the greatest extent possible.

Agriculture Secretary Tom Vilsack Has Announced Five New USDA Appointments. Two of the appointees will serve as Deputy Under Secretaries for Farm and Foreign Agricultural Services (FFAS). Bud Philbrook will serve as FFAS Deputy Under Secretary on international issues. Philbrook is currently president of Global Volunteers, a Minnesota-based organization that sends volunteers to foreign countries to help their citizens on agricultural issues and other challenges. Meanwhile, former Delaware Secretary of Agriculture, Michael T. Scuse, will be the FFAS Deputy Under Secretary for domestic programs.

In other appointments, Cheryl Cook will serve as Deputy Under Secretary for Rural Development. Cook was previously the Pennsylvania Department of Agriculture Deputy Secretary for Marketing and Economic Development. Janey Thornton — currently School Nutrition Director for Hardin County Schools in Elizabethtown, Ky., as well as a former president of the School Nutrition Association and the School Nutrition Foundation — will be USDA's Deputy Under Secretary for Food, Nutrition and Consumer Services. Robert Bonnie — currently vice-president for Land Conservation and Wildlife at the Environmental Defense Fund — will be Vilsack's Senior Advisor for Environment and Climate.

Study Determines Corn Is Corn: Researchers in Germany found no difference in dairy cows or their products regardless of whether the animals were fed conventional corn or corn bioengineered to express the *Bacillus thuringiensis* (Bt) toxin. *The Food & Fiber Letter* reports some of the 25-month study's findings include:

- There are no differences in the nutritional composition and energy level of traditional and transgenic corn varieties;
- The feeding of biotech corn over a period of 25 months did not have any effect on the productivity and metabolic parameters of the dairy cows;
- The study did not provide any indication that the feeding of Bt-corn had any influence on animal health;
- The long term study supported the findings of already published short term studies regarding the use of Bt-corn in animal nutrition;
- At the end of the project, neither the Bt protein nor the relevant DNA were found in the blood, urine or milk of the target cows;
- Milk from cows fed with biotech corn is not different from milk coming from cows fed with traditional corn.

The biggest surprise for researchers was the speed at which the biotech protein and its DNA degraded during the silaging process. In fact, in order to maintain a high level of the Bt protein in the feeding trail, the research team was required to add dried plant material containing the Bt protein to the feed of the target group.

A Growing National Trend Of Horse Abandonment Has Led To Renewed Debate Over Horse Processing, says a *New York Times* article. The closure of the last horse processing plants in the U.S. in 2007, compounded by economic hardship in 2008, is likely responsible for the upswing in abandoned and neglected horses, such as the 170 horses rescued from a Texas ranch last month. Though there are no firm statistics on how many horses are abandoned nationally, the Society for the Prevention of Cruelty to Animals (SPCA) said it had been overwhelmed with reports of neglected horses and had given rescue facilities its year's worth of emergency hay in just two months.

Many Consumers Fail To Check Their Homes For Recalled Food Products, according to a study by Rutgers University's Food Policy Institute. The study found that only about 60% of survey respondents reported ever having looked for recalled foods in their homes, and only 10% said they had ever found a recalled food product. Nearly 75% said they would like to receive personalized information about recalls on their grocery store receipt, and 60% said they would like to receive such information by mail or e-mail.

TCFA Sponsor Spotlight. TCFA is proud to recognize its top sponsors whose efforts help deliver top-notch services to members.

This week's spotlight shines on



Intervet/Schering-Plough Animal Health has been a faithful supporter of TCFA with sponsorships of the TCFA Annual Convention and Summer Meeting, Fed Beef Challenge, Junior Fed Beef Challenge and the TCFA Best Safety Practices Awards. Now one company, Intervet/Schering-Plough continues the strong commitment to the success of TCFA members by delivering innovative animal health products such as NUFLO[®] (florfenicol) antibiotic, ZILMAX[®] (zilpaterol hydrochloride) feed additive, RALGRO[®] (zeranol) and REVALOR[®] (trenbolone acetate/estradiol) implants, BANAMINE[®] (flunixin meglumine) non-steroidal anti-inflammatory, VISTA[®] vaccines, NASALGEN[®] intranasal respiratory vaccine, CAVALRY[™] 9 clostridial vaccine, SAFE-GUARD[®] (fenbendazole) dewormer, and ULTRASABER[®] (lambdacyhalothrin/piperonyl butoxide) pour-on – all supported by the industry's top technical service and sales teams. For more information, please go to www.intervetusa.com.

Please note: All links are still available at www.tcfa.org under Newsletter links.