



TEXAS CATTLE FEEDERS ASSOCIATION

NEWSLETTER

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Volume 49, Number 32

August 7, 2015

WTO Schedules Arbitration Hearings to Review COOL Retaliation

A World Trade Organization (WTO) arbitration panel will meet in Geneva on Sept. 15 and 16 to determine the amount of retaliatory tariffs that Canada and Mexico will be authorized to impose on U.S. imports. The retaliation is a result of U.S. failure to comply with a dispute ruling that found the U.S. country-of-origin labeling (COOL) law and rules concerning meat are discriminatory and in violation of treaty obligations.

Last week, the United States Trade Representative filed a legal brief with the WTO arguing that Canada and Mexico have dramatically overestimated their damages from COOL. The U.S. has objected to the Canadian request for \$2.5 billion and the Mexican request for \$713 million in non-compliance retaliation, calling the economic methodology used by the two countries “flawed” and one that “severely overestimates the level of nullification or impairment attributable” to COOL. The U.S. requested that the WTO arbitration panel set the retaliation amounts at no more than \$43.22 million for Canada and \$47.55 million for Mexico.

A final determination from the arbitration panel is expected in late October or early November.

Corps of Engineers Criticizes EPA for Flawed Rulemaking

As reported in last week’s *Newsletter*, internal memos released by the House Oversight and Government Reform Committee reveal the Army Corps of Engineers (Corps), the primary regulator over EPA’s “Waters of the United States” rule, believes that the rule grossly misinterprets Corps data and will not hold up in court.

“Corps data to EPA has been selectively applied out of context, and mixes terminology and disparate data sets,” states one memo to the Assistant Secretary of the Army for Civil Works from Major General John Peabody, Deputy Commanding General for Civil and Emergency Operations. “In the Corps judgement, these documents contain numerous inappropriate assumptions with no connection to the data provided, misapplied data, analytical deficiencies and logical inconsistencies.”

The memos show the Corps had not seen the draft final rule prior to its submittal to the Office of Management and Budget and are so concerned about its implications that they state that any reference to the Corps name and logo should be removed from all documents pertaining to the rule.

“If the two principal agencies responsible for drafting, implementing and enforcing the WOTUS rule can’t agree on the science or its economic impact, how can farmers, ranchers and other landowners be expected to understand and comply with it,” said TCFA Chairman Tom McDonald. “It’s been clear, and not unexpected, that EPA leadership doesn’t listen to landowner concerns if they don’t align with their agenda, but the fact that they also ignored concerns from another federal agency with jurisdiction over the Clean Water Act is unbelievable.”

These newly released documents influenced more than 100 members of Congress to send a letter to the EPA’s Office of the Inspector General requesting a formal investigation into the rulemaking process and whether EPA leadership violated federal law while conducting their unprecedented lobbying effort.

“Enforcement of the WOTUS rule is set to begin August 28, 2015, but these documents reveal that neither agency is ready,” McDonald said. “EPA should withdraw this flawed rule and rewrite it with input from all stakeholders.”

FDA Issues Guidance on “Use of Nanomaterials in Food for Animals”

The U.S. Food & Drug Administration (FDA) issued “Use of Nanomaterials in Food for Animals” this week. It is intended to identify potential issues in safety and regulation of animal food that contains nanomaterials or applies nanotechnology. Nanotechnology is an emerging field that allows scientist to work with particles so small that they cannot even be seen with a standard microscope. It has many potential applications for engineering animal food ingredients.

To view FDA’s full report and for directions on how to submit comments, visit <http://tinyurl.com/FDA-8-7-15>.

Students Compete in 2015 TCFA Junior Fed Beef Challenge

A new generation of cattle industry leaders is emerging, and 47 of those individuals made their way to the campus of West Texas A&M University on Saturday, Aug. 1, to showcase their skills and knowledge at the 2015 TCFA Junior Fed Beef Challenge.

This annual contest allows students age nine through graduating seniors the opportunity to gain industry knowledge and practical experience in commercial cattle feeding. Students feed a pen of three steers and compete on their knowledge of the industry through a written test and an interview or oral presentation, depending on their division. Cattle performance points are also figured into the score to determine the winners of more than \$20,000 in prizes, premiums and college scholarships.

The Overall Champion of the contest and winner of a \$5,000 scholarship, a plaque and trophy buckle sponsored by Zoetis was Dawson Dittrich of Schulenburg. Reserve Overall Champion and winner of a \$3,000 scholarship, a plaque and trophy buckle sponsored by Micro was Trent Uptmore of West. The First Runner-Up and winner of a \$2,000 scholarship, a plaque and trophy buckle sponsored by Merial, Ltd. was Caitlyn Harmon of Weimar. In the junior division, Seth Hale of Throckmorton was named the Overall Champion, receiving a \$200 prize, a plaque and a trophy buckle sponsored by Merck Animal Health.



In addition to the winners, students who participated in this year's contest include: Jaden Adams, Anna; Avery Arnett, Clovis; Daisy Berry, Happy; Emily Berry, Happy; Ryley Brooks, Kingsbury; Marleigh Brown, Canyon; Blakelee Brownd, Canyon; Katelyn Brownd, Canyon; Ashleigh Carlson, Hereford; Emily Carlson, Hereford; Hayden Carlson, Hereford; Sloan Cook, Anna; Ty Cook, Anna; Britan Council, Brenham; Caitlyn Council, Brenham; Destin Council, Brenham; Ashley Downe, Gainesville; Zachary Downe, Gainesville; Jared Gerfers, Kingsbury; Cole Grisham, Van Vleck; Luke Hale, Throckmorton; Emily Heitschmidt, Nazareth; Kyle Herron, Dripping Springs; Tom Keeling, Hereford; Garrison Koehn, Weimar; Gavin Kubala, Schulenburg; Payden Mason, Wildorado; Lindsey Schonefeld, Brenham; Timothy Schonefeld, Brenham; Travis Schumacher, Dalhart; Amelia Stavinoha, Eagle Lake; Clayton Stevenson, Earth; Emma Stevenson, Earth; Katherine Thompson, Dalhart; Wilsey Wendler, College Station; Adaline White, Friona; Hadley White, Friona; Jarrett White, Friona; Alexis Whitely, Sanger; Tara Whitely, Sanger; Ty Whitely, Sanger; Brennen Wilson, Gilmer; and Kaylie Zapalac, La Grange.

View more photos and results from the contest at <http://tinyurl.com/JFBC-8-7-15>.

Report Predicts Direction of Cow Herd Rebuilding

A recent report from Rabobank Food and Agribusiness Research senior analysts Sterling Liddell and Don Close says that beef cattle numbers in the U.S. are projected to grow by over 3 million head in the next three to five years. The report, "Beef Cow Repopulation: The Case for Diversification," also says that cattle will populate in unprecedented areas of the U.S. in the next four to six years. This will include areas of the Southwest, High Plains and Corn Belt regions.

"The initial growth phase will be relatively quick, and will flatten out," says Close. "We are going to see the process happen in two phases and in different geographies than we would have a few years ago. The excess capacity in the Southwest and High Plains will fill out first. Once that area has repopulated, rebuilding will occur in the central U.S.—mainly the Dakotas and into the Corn Belt."

To read more about the new report, visit <http://tinyurl.com/Rabobank-8-7-15>.

Livestock Production Wrongly Blamed for GHG Emissions

A recent report from the Washington Post attributed climate change largely to methane emissions in cattle. The report referenced U.N. Food and Agriculture Organization statistics that 44 percent of the globe's human-caused methane is created by the overall livestock supply chain. BEEF magazine's Amanda Radke points out that the U.N. report has been proven to misrepresent the livestock industry's actual greenhouse gas (GHG) emissions.

"The report says livestock production accounts for 18% of GHG emissions; however, that number is actually a small 5.8% and includes not just livestock production, but the entire agricultural industry, according to Frank Mitloehner, an internationally-renowned authority on agricultural air quality, animal-environmental interactions, and environmental engineering at the University of California-Davis," Radke writes. "What's more, the EPA stated in 2009 that the vast majority of GHG emissions come from the use of fossil fuels and electricity, not livestock production."

Read more from Radke at <http://tinyurl.com/GHG-8-7-15>.

Survey Shows Who Consumers Trust on Food Issues

A recent survey, "Cracking the Code on Food Issues: Insights from Moms, Millennials and Foodies," found that consumers trust scientists and farmers above advocacy groups, bloggers and even Dr. Oz. The research conducted by The Center for Food Integrity (CFI) found that on issues involving genetically modified foods, consumers trusted university scientists most, scientists who were also mothers second and farmers third. Dr. Oz came in at number 10, followed only by celebrity chefs.

To see more details on the results, visit <http://tinyurl.com/CFI-8-7-15>.

Idaho's "Ag-Gag" Law Deemed Unconstitutional

Idaho's "ag-gag" law was ruled unconstitutional this week by U.S. District Court Judge B. Lynn Winmill. The law required media personnel or animal rights investigators to disclose their affiliations when requesting a tour of or applying to work at an agricultural entity. Idaho's law is the first of its kind to be declared unconstitutional and overturned. Other states with similar laws include Montana, Utah, North Dakota, Missouri, Kansas, Iowa and North Carolina.

The law was challenged by the Animal Legal Defense Fund and other organizations because they felt it criminalized employment-based undercover investigations, investigative journalism and whistleblowing. They also said that it infringed upon their First and Fourteenth Amendment rights.

To read more about the case, visit <http://tinyurl.com/Idaho-8-7-15>.

New Study on Cattle Fatigue and Mobility

A new study out of Kansas State University's College of Veterinary Medicine with collaboration from Texas Tech University and Iowa State University addresses cattle mobility. "Description of a Novel Fatigue Syndrome of Finished Feedlot Cattle Following Transportation" addresses issues of cattle mobility.

For more information on the study, visit <http://tinyurl.com/Research-8-7-15>.

Beef Industry Internship Available in Washington D.C.

The National Cattlemen's Beef Association (NCBA) and the Public Lands Council's (PLC) government affairs office in Washington, D.C., is now accepting applications for the spring 2016 public policy internship. The internship is open to college juniors, seniors and graduate students and runs from Jan. 11, 2016 through May 13, 2016.

“The internship gives college students the opportunity to work alongside staff on a range of issues that impact U.S. cattlemen and women,” said NCBA Executive Director of Legislative Affairs Kristina Butts. “The internship is designed to work closely with the lobbying team on Capitol Hill; to assist with NCBA and PLC’s regulatory efforts; and to work closely with the communications team.”

Applications are due by Oct. 1, 2015. To learn more about the internship and how to apply, visit <http://www.beefusa.org/newsreleases1.aspx?NewsID=5086>.

Workshops Available Regarding FDA Guidance and Veterinary Feed Directive

The Farm Foundation, NFP, is hosting 12 workshops across the country to help educate producers, feed suppliers and veterinarians on FDA’s new Veterinary Feed Directive (VFD). According to Farm Foundation, the workshops are designed for attendees to gain a comprehensive understanding of two Guidance for Industry (GFIs) issued by the FDA regarding the use of medically-important antimicrobial drugs in food-producing animals. There will also be opportunity for government agencies, universities and extension personnel to learn about the new requirements.

The workshops are free of charge and run from 8:30 a.m. to 4:00 p.m. A workshop is available in Amarillo on Sept. 11, 2015. To learn more about the workshops, visit <http://tinyurl.com/VFD-7-17-15>.

Texas Environmental Excellence Awards

The Texas Commission on Environmental Quality (TCEQ) is accepting applications for the 2016 Texas Environmental Excellence Awards. This is the highest environmental honor in the state, which recognizes inspiring efforts of businesses, local governments, schools, students, individuals and other entities. The awards recognize projects from nine areas, including categories such as agriculture, pollution prevention and water conservation.

Applications may be submitted through Sept. 25, 2015. To apply, visit www.teea.org/apply/.

Sponsor Spotlight

TCFA is proud to recognize its top sponsors whose efforts help deliver top-notch service.

This week’s spotlight shines on



RAMP and Sweet Bran, proud sponsors of TCFA, help cattle feeders across Texas minimize their cost of gain and maximize their profit. RAMP is a complete starter ration that changes the way cattle eat and the way they gain—all the way through finishing. Sweet Bran is a valuable part of the finishing diet that provides higher, more consistent feed intake and promotes better rumen health and reduced cost of gain. For more information on RAMP and Sweet Bran, call (800) 317-8825.

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