



TEXAS CATTLE FEEDERS ASSOCIATION

NEWSLETTER

5501 I-40 W. • AMARILLO, TEXAS • PHONE (806) 358-3681 • www.tcfa.org • info@tcfa.org

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WOTUS Legal Wrangling Continues, No End in Sight

On Sept. 8, the states of Texas, Mississippi and Louisiana filed a petition with the U.S. District Court for the Southern District of Texas' Galveston Division to partially lift a stay the court issued on Aug. 14 in *State of Texas, et al., v. EPA*. The states filed the petition seeking expedited treatment to allow the states to present their case for an injunction. The case also challenges the merits of the Waters of the United States (WOTUS) rule.

"Lifting the stay now and expediting the preliminary injunction proceeding so that the States may seek similar relief to that obtained by their North Dakota brethren promotes uniformity and eliminates uncertainty," the motion says in *State of Texas*.

The states argue that regardless of whether the pending cases are consolidated into one venue or allowed to be managed separately, the deliberations, scheduled for Oct. 1, will likely delay the states' efforts to seek preliminary injunctive relief. "During that time, given the federal government's position that the Rule is in effect, the States will have to either bear the burden of compliance or risk enforcement, including penalties," they say.

Several other states have taken formal action to lift temporary judicial stays on WOTUS litigation and allow arguments pertaining to injunctive relief. At the time of publication, none of the courts have responded to the petitions.

The states' actions follow a ruling last Friday by a federal judge in North Dakota clarifying that his previous order granting injunctive relief from implementation of the WOTUS rule only applies in the 13 states that are party to the lawsuit before his court. The judge cited "competing sovereign interests and competing judicial rulings" as the reasons for his ruling.

EPA and other WOTUS supporters are considering an appeal of the original North Dakota injunction.

Cargill Begins Second Phase of Beef Cattle Sustainability Effort

Cargill Cattle Feeders, LLC, has joined with K-Coe Isom (formerly Kennedy and Coe LLC) to develop a verified beef supply chain sustainability assessment program for its feedyards, according to a press release from Cargill. K-Coe Isom's Vela Environmental division has developed a unique assessment service called ResourceMax™ that will be utilized as well as the company's extensive beef-industry and sustainability expertise.

They will begin a yearlong assessment on Cargill's four feedyards in Texas, Kansas and Colorado measuring the economic, environmental and community impacts. This will be used to continue improving practices in a meaningful way.

"The goal of this project is to provide sustainability information that stakeholders find relevant across the supply chain, including suppliers, customers, NGOs, producer groups, trade associations and consumers," said Sara Harper, K-Coe Isom's director of sustainability and supply chain solutions. "Today, people have a desire to know how the food they eat is produced and where it comes from. Cargill is pioneering transparency and collaboration with its beef customers to share information important to consumers."

To read the full press release from Cargill, visit <http://tinyurl.com/Cargill-9-11-15>.

McDonald's Transitioning to Cage-Free Eggs in U.S. and Canada

McDonald's announced this week that it is beginning the process of transitioning its nearly 16,000 restaurants in the U.S. and Canada to using all cage-free eggs. This transition will occur over a span of 10 years.

McDonald's USA purchases nearly two billion eggs annually, and since 2011, 13 million of those have been cage-free. This news comes following related food-purchasing announcements this year, including sourcing only chicken raised without antibiotics important to human medicine by 2017 and offering milk produced from cows that have not been given rBST.

To read the full press release from McDonald's, visit <http://tinyurl.com/eggs-9-11-15>.

Veterinarian-Hosted Video Shows Antibiotic Use in Livestock

The ninth and latest video in the North American Meat Institute's (NAMI) Glass Walls series has been released. It targets antibiotic use in livestock and aims to clarify exactly how, when and why antibiotics are used. It will also address many of the misconceptions associated with antibiotic use in livestock. Veterinarians discuss how animals are diagnosed, when they are treated, and how the administration of antibiotics is tracked prior to harvest.

"Consumers are being bombarded with confusing and often inaccurate messages about how antibiotics are used in livestock production. Often, these messages suggest there is little oversight or control of the process, but a closer look on the farm shows this is clearly not the case," said NAMI Senior Vice President of Public Affairs Janet Riley. "We hope that this video will be useful to consumers who may want more information."

To view the video, visit <http://tinyurl.com/GlassWalls-9-11-15>. To view the full press release from NAMI, visit <http://tinyurl.com/Glass-Walls-Info>.

Convention Speaker Spotlight: Jason Dorsey

Monday morning's keynote speaker, Jason Dorsey, is the authority on Millennials and Gen Y. He's been featured on *60 Minutes*, *20/20*, *The Today Show*, *The View*, *The Early Show* and many more. A bestselling Gen Y author at age 18, Jason won Entrepreneur of the Year at age 25. Jason's gift is solving tough generational challenges for companies and leaders through research, strategy and speaking.

"Jason Dorsey is one of the most compelling and engaging speakers I've come across in my career," said Stephen Cannon, President and CEO of Mercedes-Benz USA. "In fact, 'speaker' does not adequately describe Jason, who is equal part researcher, social anthropologist and entertainer."

To learn more about Jason, visit his website at <http://jasondorsey.com/>. To register for Convention, visit www.tcfa.org and click on the banner at the top of the page.



Thornberry's Red River Bill Advances Out of Committee

A bill to protect private property along the Red River was approved by the U.S. House Natural Resources Committee Thursday, moving the legislation one step closer toward full consideration by the House of Representatives, according to a press release from U.S. Congressman Mac Thornberry (R-Clarendon). The "Red River Private Property Protection Act," H.R. 2130, introduced by Thornberry, seeks to settle all federal ownership claims by providing legal certainty to landowners along the Red River.

"I'm very pleased that the Natural Resources Committee agreed to consider my bill and passed it out of the Committee today. This is an important step toward our ultimate goal of getting this bill signed into law," Thornberry said. "I will continue working with my colleagues in the House and Senator Cornyn (R-Texas), who has introduced similar legislation in the Senate, to resolve this issue once and for all."

To view the full press release from Thornberry's office, visit <http://tinyurl.com/Thornberry-9-11-15>.

Consumer Protein Choices Related to Price Changes

New research shows that consumers may be less likely to switch protein sources based on price than was previously assumed. Using the Food Demand Survey from Oklahoma State University, researchers analyzed years 2010 to 2015 when beef and pork prices rose substantially, and chicken prices remained stable. They found that the consumer spending on beef and pork did not decrease due to the price increases as much as expected. Therefore, researchers found that consumers in certain income ranges tend to stick with their go-to protein choices regardless of price changes.

To view the full study, visit <http://tinyurl.com/ConsumerSpending-9-11-15>.

New Online "Manual" to Address Food Safety

The NAMI Foundation announced a new website set to launch next week that will offer small-scale meat processors resources for developing food safety programs. According to *Meatingplace*, the online "manual" is the first of its kind. It will draw information from a wide array of online resources and pull it all together into one easy-to-use location. All information on the website will have been approved by USDA. The URL will be announced next week once the site is fully functional.

To read more from *Meatingplace*, visit <http://tinyurl.com/NAMI-9-11-15>.

FDA Announces Final Food Safety Modernization Act Rule

The Food and Drug Administration (FDA) published the final rules for the Food Safety Modernization Act (FSMA) in the *Federal Register* this week covering "Current Good Manufacturing Practices and Hazard

Analysis and Preventive Controls for Food for Animals.” FDA has worked with stakeholders to provide additional flexibility for animal food producers, according to the American Feed Industry Association (AFIA), and the changes should make the rule more user-friendly towards the feed industry.

AFIA and *Feedstuffs* will be hosting a webinar over FSMA on Oct. 7 at 2 p.m. For more information on the webinar, visit <http://tinyurl.com/FSMA-9-11-15>. To view the final rule, visit <http://tinyurl.com/FDA-9-11-15>.

Consumer Attitudes Toward Animal Welfare and Willingness to Pay

A recent study out of Kansas State University and Michigan State University surveyed beef consumers and cow-calf producers about their views on animal welfare in cattle production that specifically analyzed the importance of animal welfare to consumers in purchasing decisions. The study found that beef consumers were more likely to pay more for a package marked with “natural” or “guaranteed tender” labels but not as much for labels emphasizing animal welfare or sustainability. However, on a survey, 65 percent stated that they were concerned about animal welfare.

“So, they stated they were concerned about it, however this concern wasn’t necessarily reflected in their current purchasing behavior,” said KSU Agricultural Economist Melissa McKendree.

A portion of the survey outlined 13 different types of animal welfare practices and asked consumers which they would be willing to pay more for. The two most highly selected practices are ones already provided on many operations such as access to clean water, shade, wind breaks and ventilation.

To view an executive summary of the study, visit <http://tinyurl.com/WTP-9-11-15>.

OSHA Grants to Benefit Meat Processing

The U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has awarded \$10.5 million in one-year federal safety and health training grants to 80 non-profit organizations across the nation, according to a press release from OSHA. These grants are to be used for education and training programs to help high-risk workers and their employers recognize serious workplace hazards, implement injury prevention measures and understand their rights and responsibilities.

The meat processing industry is expected to benefit from these grants since three of the receiving non-profits plan to specifically address worker safety in meat processing. These organizations are Sunflower Community Action Inc., Interfaith Worker Justice and Western North Carolina Workers’ Center.

To view the full press release from OSHA, visit <http://tinyurl.com/OSHA-9-11-15>.

WTO Elects New Ag Chairperson

Vangelis Vitalis of New Zealand has been elected as the new chairperson of the World Trade Organization’s (WTO) agriculture negotiations. He was appointed as New Zealand’s ambassador to the WTO in July and previously served as his country’s head of mission to the EU and NATO and as an ambassador to Sweden.

For more information from WTO, visit <http://tinyurl.com/WTO-9-11-15>.

2015 Dr. Kenneth & Caroline McDonald Eng Foundation Symposium

The 2015 Dr. Kenneth & Caroline McDonald Eng Foundation Symposium will be held Sept. 17-18 at the Skirvin Hotel in Oklahoma City, Okla., with the theme being “Innovations in Intensive Beef Cow Production, Care and Management.” The Symposium is used for universities to present their latest research findings that targets improvements in beef cow efficiency and profitability by intensive and semi-confined production systems. Research is conducted through the Dr. Kenneth and Caroline McDonald Eng Foundation.

For more information or to register for the Symposium, visit <http://www.ansi.okstate.edu/eng-symposium>.

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/.

NAMI Accepting Applications for Environmental Recognition Awards

The NAMI Foundation is now accepting applications for its 2016 Environmental Recognition Awards. The Environmental Recognition Awards were developed to provide recognition of a company’s dedication to continuous environmental improvement, as witnessed by the development and implementation of Environmental Management Systems (EMS).

Award winners will be honored on Jan. 25, 2016, during NAMI Foundation's Environmental Conference for the Meat and Poultry Industry as a part of the International Production and Processing Expo in Atlanta.

To learn more about the contest, visit <http://tinyurl.com/NAMI-9-4-15>.

NCBA Hosts Strategies for Success Webinar

NCBA's Young Beef Leaders (YBL) is hosting a webinar, Strategies For Success – Starting Strong, on Thursday, Sept. 17, at 7:00 p.m. It will feature John Spence, best-selling author and leadership development professional, teaching about making value-based decisions, creating networks and other elements for success.

To learn more about the webinar or to register, visit <http://www.beefusa.org/cattlemenswebinars.aspx>.

High Plains Food Bank Beef Donations

The High Plains Food Bank alleviates hunger in the Texas Panhandle by delivering millions of pounds of food to area families who need help getting back on their feet. TCFA member feedyards in the Texas Panhandle are asked to remember that the Food Bank needs and appreciates your animal donations all throughout the year.

It is a goal of the TCFA Industry Relations Committee to support the Food Bank through a donation of 26 animals per year. So far, there have been six animals donated. Thank you to the feedyards who have made donations so far this year: Champion Feeders, Dawn Custom Cattle Feeders, Great Plains Cattle Feeders, Kirkland Feedyard (two animals) and Littlefield Feedyard.

Participating feedyards are asked to transport their donated animal to one of the 10 state-inspected processors that have agreed to participate in the program. Specifications require that each animal pass all USDA and FDA requirements for food animals and provide a hot yield of 60 percent or better. Find a list of participating processors at <http://tinyurl.com/hpfb-processors>. If you have donated a beef to the Food Bank this year, and your name is not listed above, please contact Jayce Winters at jayce@tcfa.or or (806) 358-3681.

Register Today for 2015 TCFA Annual Convention

Join TCFA friends and leaders for the 2015 TCFA Annual Convention that will be held Nov. 1-3 in San Antonio, a city rich in history and culture. This year's convention will offer dynamic speakers delivering crucial information, and as always, there will be plenty of opportunities to make memories and have a great time.

Start Monday morning with an inspirational breakfast and message from [Pastor Matthew Hagee](#), followed by the opening general session. Keynote speaker [Jason Dorsey](#), also known as The Gen Y Guy[®], will give valuable insights on *Crossing the Generational Divide* in the marketplace and workplace. If you run a business that employs multiple generations, and especially Millennials, you will not want to miss Dorsey. Also hear from [Paul Genho](#), past president of Farmland Reserve Inc., who will present a global analysis on soils, water, climate and other factors, as he discusses *The Future of Protein Production in a Global Market*. And you will want to hear the industry and policy updates from TCFA Chairman Tom McDonald and NCBA President [Philip Ellis](#) in Monday morning's session.

The awards luncheon will honor individuals and their achievements in TCFA programs throughout the year and feature [Miss Texas Shannon Sanderford](#). Following the luncheon are some incredible tour opportunities to choose from. Molly McAdams will present Beef Case of the Future, as you tour local meat markets. Enjoy local art and history by touring [The Alamo](#) and [Institute of Texan Cultures](#). Be part of a rewarding experience new this year by volunteering at the San Antonio branch of Snack Pak 4 Kids. TCFA and its members partner with [Snack Pak 4 Kids](#) in the Beef 4 Kids initiative, ensuring that children across the Panhandle and San Antonio have nutritious beef in their weekend diets. End the evening with a toe-tapping good time at the Cattle Feeders Get Together and BEEF-PAC Auction featuring [Mario Flores and The Soda Creek Band](#).

Tuesday morning's program offers more outstanding information and speakers including [Randy Blach](#)'s always popular *Commodity Market Outlook*, detailed insights on *Cracking the Consumer Code: Building Trust and Consumer Confidence* from [Charlie Arnot](#), CEO at The Center for Food Integrity, and an important message about beef's future in the American diet from NCBA's [Shalene McNeill](#) with *Beef's Bad Rap: Dispelled Myths Beef Producers Should Know*.

Conclude your time at Convention by enjoying a round of golf, sporting clays or exploring historic San Antonio! Make plans to attend. You don't want to miss this year's TCFA Annual Convention!

Visit www.tcfa.org and click on the Convention banner at the top of the page to register.

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Texas Cattle Feeders Association

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