



# TEXAS CATTLE FEEDERS ASSOCIATION NEWSLETTER

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**Eminent Domain Legislation Signed:** TCFA Chairman Monte Cluck joined Texas Governor Rick Perry, Texas State Senators Bob Duncan and Jeff Wentworth, and representatives of the Texas and Southwestern Cattle Raisers, the Texas Farm Bureau, and the Texas Wildlife Association at the Alamo for the signing of HJR 14 – the recently passed constitutional amendment that would limit the taking of private property through eminent domain to only public uses and require a two-thirds vote of the legislature to grant future eminent domain authority. This constitutional amendment is a good first step toward protecting landowners' private property rights, and TCFA urges all Texans to vote for its ratification during the November election.



*Click on the picture above for a larger image and caption information.*

TCFA also urged Governor Perry to further strengthen these protections by allowing eminent domain reform to be considered during the upcoming special session. Such reforms should include requirements that authorities involved in

the taking of property provide accurate and timely information, negotiate in good faith, provide adequate compensation for impairment of access and allow previous property owners to repurchase taken property (at the original sales price) if not used for the stated purpose within 10 years.

**TCFA And NCBA Oppose Climate Change Bill:** TCFA and NCBA sent letters to the U.S. House Committee on Agriculture and the House Committee on Energy and Commerce opposing the America Clean Energy and Security Act of 2009 (H.R. 2454). TCFA also is sending letters to all of the House members from Texas, Oklahoma and New Mexico urging them to oppose the bill. While assurances were made that this legislation would not apply to CAFO emissions, including enteric fermentation, the exemption language in the bill is not explicit and could likely be interpreted differently by EPA in the future. There also is concern that the bill would require EPA to develop performance standards to reduce greenhouse gases such as methane, which would likely include animal agriculture. In addition, it is widely believed that the bill would significantly increase farm and ranch input costs (like fuel and fertilizer) without providing agricultural producers with an effective carbon credit trading program to offset those increased costs. Economists have estimated that this legislation would cause farm income to drop between \$8 billion in the short term to \$50 billion long term. To read the letters sent by TCFA and NCBA, go to

[http://www.tcfa.org/Newsletter/TCFA\\_Climate\\_Change\\_Letter\\_2009-06-18.pdf](http://www.tcfa.org/Newsletter/TCFA_Climate_Change_Letter_2009-06-18.pdf) and

[http://www.tcfa.org/Newsletter/NCBA\\_Climate\\_Change\\_Letter\\_2009-06-18.pdf](http://www.tcfa.org/Newsletter/NCBA_Climate_Change_Letter_2009-06-18.pdf).

**The Clean Water Restoration Act (S. 787)** was approved by the U.S. Senate Committee on Environment and Public Works on a party line vote. This legislation deletes the word "navigable" from the definition of "waters of the United States" in the Clean Water Act (CWA) and grants unprecedented and far reaching authority to EPA and U.S. Army Corps of Engineers over all wet areas including ponds, playas, intermittent streams, creek beds, ditches and mud holes. Several attempts were made to amend the bill to exclude livestock and other agriculture operations from federal CWA regulation, but those efforts were rebuffed. TCFA and NCBA oppose S. 787 and will continue to work against it as it goes to the full Senate for consideration. To

read the opposition letter TCFA sent to the members of the committee, go to <http://www.tcfa.org/Newsletter/CWRA-Letter-061709.pdf>.

**Update On Appropriations:** Late yesterday, the House Committee on Appropriations approved the FY 2010 Agriculture Appropriations bill and the FY 2010 Interior and Environment Appropriations bill. The bills, as passed by committee, are not yet available, but summaries and information about program reductions and terminations are available at <http://appropriations.house.gov/>. TCFA staff will study the bills thoroughly when they are made available, but staff is aware of the following highlights. The Agriculture Appropriations bill contains a provision to eliminate funding for the National Animal Identification System pending a revised implementation plan from USDA, and a funding provision of \$1.09 million to continue the feedyard air quality research being conducted through a collaborative effort of Texas AgriLife Research & Extension, West Texas A&M University, Kansas State University and USDA. During consideration of the Interior and Environment Appropriations bill, the committee passed an amendment to eliminate EPA funding for developing and implementing regulations to require mandatory reporting of GHGs from manure management systems and an amendment to eliminate EPA funding for the so-called "cow tax" – the permitting of cattle operations for GHG emissions. The bills have been referred to the full House for consideration. If these provisions remain in their respective bills throughout the legislative process and are signed into law, they will be effective for one year – the life of an appropriations bill.

**Food Safety Legislation:** The House Committee on Energy and Commerce passed an amended version of the Food Safety Enhancement Act of 2009 (H.R. 2749) by voice vote on Wednesday. Many of the problems identified by TCFA and NCBA, including on-farm FDA inspections, pedigree requirements, manure use requirements and mandatory recalls, were corrected by an amendment removing FDA's jurisdiction over farms and feedyards that raise animals producing meat already regulated by FSIS under the Meat Inspection Act. However, the amendment did not address all of our concerns, and we are continuing to work to resolve those issues as the bill heads to the House floor for consideration.

**The Economic And Environmental Benefits Of Conventional Beef Production** are the focus of a marketing program launched by the Growth Enhancement Technology Information Team (GET IT). *BEEF* magazine reports the campaign will provide beef producers with facts about the "eco-friendly and economical" benefits of conventional beef production – facts producers can share with family, friends and neighbors who might not be familiar with the benefits of modern beef production systems.

One of the key campaign messages is conventional beef production is environmentally friendly compared to grass-only beef-production systems. An Iowa State University study comparing conventional, grain-fed beef production with grass-only production showed conventional beef production decreases the amount of land required to produce a pound of beef by two-thirds. More than five acre-days are needed to produce a pound of beef from grass-fed cattle compared to just 1.7 acre-days for conventionally raised, grain-fed beef using growth-enhancing technologies.

In addition, conventional beef production results in a 40% reduction in greenhouse gas emissions per pound of beef compared to grass-fed beef production.

"There always will be a niche market for organic and natural beef. Grass-fed beef is environmentally friendly but not as much as conventional beef production, and it's certainly not as sustainable because of higher production costs and use of land resources," GET IT Chairman Paul Parker said. "GET IT supports consumer choice at the meat counter but wants people to know beef from grain-fed cattle receiving growth-enhancing technologies is the best environmental choice."

A recent analysis by Iowa State University agricultural economists shows if conventional beef production practices were replaced by "natural-only" practices, retail beef prices would increase by about 11%, causing consumer demand to decrease by 8.6%.

The GET IT campaign includes both print and electronic advertising in major beef-industry publications, electronic newsletters and Web sites. Producers and consumers can learn more about the "eco-friendly and economical" benefits of conventional beef production by visiting [www.beeftechnologies.com/eco](http://www.beeftechnologies.com/eco).

The Growth Enhancement Technology Information Team (GET IT) is an organization of executives from animal-health manufacturing companies in the United States.

**Meat Fuels The U.S. Economy**, according to a new Economic Impact Study issued by the American Meat Institute (AMI). The study says the meat and poultry industry – comprised of packers and processors,

wholesalers and retailers – directly and indirectly contributes \$832.4 billion dollars annually to the U.S. economy, roughly 5.8% of total GDP. The analysis of direct, supplier and induced impact also illustrates the industry provides nearly 6.2 million jobs, generating almost \$200 billion in wages and benefits.

According to the study, the meat and poultry industry directly employs 1.8 million people, paying \$45.5 billion in wages and benefits. An estimated 524,000 people have jobs in production and packing, importing operations, sales, packaging and direct distribution of meat and poultry products. Wholesaling directly employs an estimated 63,000 individuals in every state in the country, and 1,227,600 employees' retail jobs depend on the sale of meat and poultry products to the public.

The complete study, including state-by-state and congressional district breakdowns and a methodology report, can be found at <http://www.meatfuelsamerica.com/>.

Other news from AMI:

- **For Father's Day Meals**, 42% of Americans prefer steak, according to an AMI poll of 1,000 people. The top three meals were rounded out by barbecue ribs (14%) and hamburgers (13%).
- **Americans have a significant food safety knowledge gap**, an AMI survey of 1,000 people revealed. For example, only 34% of Americans correctly answered that a hamburger is ready to eat when the internal temperature has reached 160 degrees F. One in five said that checking the middle of the hamburger to ensure that it is brown is the best approach – a practice experts say is not an accurate indicator that a burger is thoroughly cooked. Likewise, 18% wrongly said that checking to see if juices run clear ensures food safety. For more on the food safety poll, go to <http://www.meatami.com/ht/display/ReleaseDetails/i/50907>.

**A Pre-Harvest Food Safety Workshop** was held this week in Lubbock, hosted by Texas Tech University and West Texas A&M University. Participants heard updates on several pre-harvest intervention strategies that continue to be evaluated in laboratory and feedyard trials.

Presenters were: Dr. Mindy Brashears and Dr. Mark Miller, both of Texas Tech, and Dr. Guy Loneragan of West Texas A&M. Topics included prevalence of *E. coli* and salmonella in cattle, how transportation and packing plant holding pens affect cattle, potential linkage between pre-harvest and post-harvest practices, use of direct-fed microbials, status of *E. coli* vaccine development and associated field trials, and current research efforts on other feedyard management pre-harvest practices.

The workshop was conducted as part of a pre-harvest food safety project funded by the USDA-CSREES National Integrated Food Safety Initiative. For more information, contact Dr. Brashears at [mindy.brashears@ttu.edu](mailto:mindy.brashears@ttu.edu).

**Cattle Tuberculosis (TB) Has Been Confirmed In A West Texas Dairy** that has been quarantined since April when some cattle in the herd responded to a TB test being conducted prior to a sale. (The sale was cancelled.) The cattle TB diagnosis was confirmed at the National Veterinary Services Laboratory (NVSL) in Ames, Iowa.

"The infected herd remains quarantined while the final disposition of the herd is determined" – either depopulating the herd or repeatedly testing and removing infected animals until the herd is free of cattle TB, said Dr. Bob Hillman, Texas' state veterinarian and head of the Texas Animal Health Commission (TAHC). "Dairy, calf-raising and dairy animal replacement operations with epidemiological links to the infected herd are being tested to determine both the origin and potential spread of the disease."

"I encourage ranchers or accredited veterinarians to call the state of destination prior to shipping bison, beef or dairy cattle out of Texas," said Dr. Hillman. "Some states may impose enhanced TB entry requirements on Texas cattle and bison. Keep in mind, too, that many states, like Texas, have implemented cattle trichomoniasis testing requirements, so call before you haul."

Dr. Hillman said Texas' cattle TB-free status with the U.S. Department of Agriculture (USDA) could be in jeopardy, if the infected dairy cannot be depopulated, or if a second infected herd is detected within 48 months.

When TB-free status is lost, breeding cattle and bison moved out of a state need a negative TB test within 60 days prior to shipment, or animals must originate from a herd that has accredited TB-free status, achieved through a formal testing and retesting program.

More information is available at <http://www.tahc.state.tx.us/>.

**Texas Beef Cleared By Russians.** USMEF reports Russia has lifted its A-H1N1 influenza-related suspension of meat exports other than pork from Texas and Washington state. "We still have a long way to go before we have the movement of beef and pork to Russia that we know our industry could achieve if not for

these trade barriers," said Paul Clayton, USMEF senior vice president for export services. "But this at least represents some encouraging progress. Several beef facilities in Texas and Washington can now resume shipments to Russia, and that's especially critical for beef livers and other products that don't generate a lot of domestic demand."

Russia's influenza-related suspensions currently impact 13 states, but only Illinois and Wisconsin are now ineligible to export both beef and pork. Pork exports are ineligible from Texas, Arizona, California, Connecticut, Florida, Massachusetts, Michigan, New Jersey, New York, Pennsylvania and Utah. Meat products from Delaware and South Carolina are now eligible for export to Russia, unless they were harvested or packaged on certain dates between May 3 and May 14.

State-specific effective dates and other details on Russia's suspensions can be found at [http://www.fsis.usda.gov/Regulations & Policies/Russia Requirements/index.asp](http://www.fsis.usda.gov/Regulations%20&%20Policies/Russia_Requirements/index.asp).

**Sow Retirement Effort Cancelled:** A group of U.S. pork producers who proposed the Producer Retirement Program have announced that the sow cull program will not take effect due to a lack of participation, *Meatingplace.com* reports.

"Market conditions have changed dramatically for the worse for the pork industry in the past few months," Chuck Wirtz, chairman of the board of directors of the PRP, said. "Unfortunately, since this group of pork producers began work designing the PRP, most producers with sows are no longer in a financial position to support the program."

However, industry sources say many producers are in the process of culling sow herds. And Ag Secretary Tom Vilsack told reporters this week that USDA is looking for ways to help the struggling pork industry.

**The Compliance Deadline For The Spill Prevention, Control And Countermeasure (SPCC) Rule** has changed. EPA has announced a new deadline of Nov. 10, 2010 for affected operations. The SPCC Rule applies to certain facilities that have storage tanks for gas, diesel, animal and vegetable fats, pesticides and other oils that could reasonably be expected to have a discharge to a water of the United States. For more information about the SPCC Rule and reporting requirements, please visit <http://www.epa.gov/oem/content/spcc/index.htm>

This new rule only addresses the compliance deadline. Proposed substantive changes to the rule that were issued by the Obama Administration in December 2008 are still being considered. A final decision on substantive changes will be made by November of 2009.

**MBA Program Growing:** Just over three months after the "doors" opened on the Masters of Beef Advocacy (MBA) Virtual Classroom, more than 700 students have enrolled in the grassroots advocacy program, and 125 beef producers and industry allies have completed the six online courses. Nearly 100 graduates have joined the MBA Alumni Association, an online social networking site where they receive action alerts, fact sheets and other tools they need to correct misinformation about modern beef production in the media, online and in their communities. As part of their communications efforts, MBA graduates are already actively engaged in posting comments on articles in online news sites. To learn more about the MBA program, go to [http://www.beefboard.org/news/08\\_1010News\\_MBAPressRelease.asp](http://www.beefboard.org/news/08_1010News_MBAPressRelease.asp).

**The Nation's First Case Of Vesicular Stomatitis (VS) For 2009** has been detected in a horse in Starr County, in far south Texas. VS is a sporadically occurring virus that is endemic to the U.S. The Texas Animal Health Commission (TAHC) says signs of the disease include blisters, lesions and sloughing of the skin on the muzzles, tongue, teats and above the hooves of susceptible livestock, which include horses, cattle, sheep, pigs, deer and some other species of animals.

"The most recent outbreak was in 2006 limited to Wyoming only, where 17 horses and a dozen cattle on 13 premises were confirmed to have the virus," said Dr. Bob Hillman, Texas' state veterinarian and head of the TAHC. "To prevent the spread or introduction of infection, many states and countries will place additional entry requirements or restrictions on the movement of animals from affected states, or portions of the state. Call the state or country of destination before moving livestock, to ensure that all entry requirements can be met. Do not risk shipments being turned away, or worse, spreading disease and facing legal action by animal health authorities."

For more information on the outbreak, go to [http://www.tahc.state.tx.us/news/pr/2009/2009Jun\\_NationsFirstCaseOfVesicularStomatitisConfirmedInTexas.pdf](http://www.tahc.state.tx.us/news/pr/2009/2009Jun_NationsFirstCaseOfVesicularStomatitisConfirmedInTexas.pdf).

## **USDA's New Deputy Under Secretary For Marketing And Regulatory Programs Is John Ferrell.**

His responsibilities include helping establish policies to facilitate domestic and international marketing of U.S. agricultural products and ensuring the health and care of animals and plants. Ferrell most recently served as Majority Professional Staff to U.S. Senator Tom Harkin (D-Iowa) on the Senate Committee on Agriculture, Nutrition and Forestry. In this capacity he provided Congressional oversight of implementation of the 2002 Farm Bill and contributed to development of the 2008 Farm Bill.

## **Beef Checkoff Dollars Have Helped Educate Members Of The Dietary Guidelines Advisory Committee (DGAC),**

an important group of researchers and experts that is reviewing published science and developing technical recommendations for the *2010 Dietary Guidelines for Americans*. These guidelines will form the basis of federal nutrition programs, nutrition standards and nutrition education for the general public. The Checkoff and beef industry have submitted several written and oral comments to educate the DGAC about the role of beef and beef's nutrients in a healthy diet. With the support of Checkoff resources, NCBA has submitted comments about the unique fatty acid profile and rich micronutrient content of beef. Several third-party experts, with the help of Checkoff information, have submitted comments addressing beef's role in a sustainable diet, protein requirements, epidemiology and cancer, and the health benefits of beef in the diets of children and adolescents. NCBA also distributed research and educational materials and resources to select DGAC members. For related materials, go to <http://www.beefnutrition.org/dietaryguidelinesalliance.aspx>.

**Beef 706**, a two-day program on beef quality management, will be offered in two sessions July 28-29 and July 30-31 at West Texas A&M University in Canyon. Topics to be covered include fabrication, grid marketing and branded programs, and choice-select spread and instrument grading. A tour of a beef packing plant is also offered. The registration deadline is July 13. For more information on Beef 706 and to register, go to <http://www.tcfa.org/Brochures/beef706July28-31.pdf>.

Please note: All links are still available at [www.tcfa.org](http://www.tcfa.org) under Newsletter links.