

# New Stance on BSE

Industry groups give mixed response to new rules opening trade to all boneless beef from cattle less than 30 months of age regardless of a country's BSE status. Live cattle trade still being debated.

by *Kindra Gordon*

In late May 2005, another twist was added to the ongoing debate over border closures to beef from bovine spongiform encephalopathy (BSE)-affected countries. In this latest turn of events, the World Organization for Animal Health (OIE), an organization of 167 member countries including the United States, released new standards that allow all boneless beef from cattle less than 30 months of age to be traded, regardless of a country's BSE status.

To this point, guidelines had focused on the number of cases in a country. However, OIE representatives said their new policy is based on science that indicates there is no BSE risk from animals less than 30 months of age. As part of their new science-based standards, the OIE also recommends that other products, including those from cattle more than 30 months of age, can be traded as long as safeguards to manage BSE risks to the food chain, such as ruminant-to-

ruminant feed bans and removal of specified risk materials (SRMs), are implemented.

While the OIE guidelines became effective immediately, they are non-binding on member countries, and it will be up to each country to amend its regulations as necessary to reflect these changes in the standards. However, OIE guidelines are often used by the World Trade Organization (WTO) to settle border-trading disputes involving animal health issues. As an example, the National Meat Association (NMA) predicted that the new rules should allow a lifting of bans on U.S., Canada and European Union (EU) exports.

## Support for new rules

Several beef industry organizations and leaders are heralding this new science-based trade policy and are hopeful it will reduce the politics, public misperceptions and hysteria that have surrounded BSE and trade issues.

Glenn Slack, president and chief executive officer (CEO) of the National Institute for Animal Agriculture (NIAA), called the recommendation by OIE "uplifting" and an opportunity for "science to prevail over politics when setting animal health policy."

In a statement, Secretary of Agriculture Mike Johanns said, "The United States and several other countries have advocated for guidelines that reflect science, the low risk associated with BSE and the effectiveness of risk-mitigation measures. I applaud the OIE for developing guidelines that incorporate all such factors. The international standard for BSE is now based on the same information that has guided the United States' current practices and the proposed minimal risk rule."

Additionally, the American Meat Institute (AMI) stated, "We are gratified that OIE is continuing to refine its standards and to build support for a single, global animal health standard. Had one been widely followed, the U.S. would not have lost its markets in the wake of a single case of BSE detected in December 2003, and trade with Canada would not have ceased in May 2003 and still be partially blocked more than two years later."

## Live-cattle debate continues

But, not everyone is convinced the new science-based guidelines will be beneficial. A press release issued by Ranchers-Cattlemen Action Legal Fund United Stockgrowers of America (R-CALF USA) said the decision by OIE "may undermine basic import standards for food safety and public health by downwardly harmonizing these standards."

Additionally, the debate about trade of live cattle between BSE-affected countries continues to boil. Specifically, R-CALF and the National Farmers Union (NFU) have been two of the most vocal organizations arguing to keep the U.S. border closed to Canadian live cattle younger than 30 months of age.

At a June 9, 2005, roundtable discussion hosted by the U.S. Department of Agriculture (USDA) in Saint Paul, Minn., R-CALF CEO Bill Bullard said trade with Canada should only be resumed if the Canadian industry stops the spread of BSE

## BSE research continues

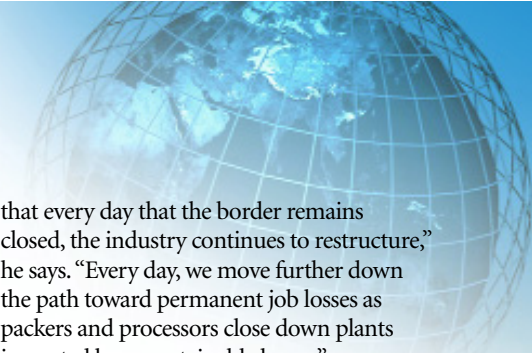
As the battle over bovine spongiform encephalopathy (BSE) and border trade continues, more money is being spent for research on BSE and pathogens causing food-related illness. In early April, the Food Safety Research and Response Network, spearheaded by North Carolina State University (NCSU), was founded to include a team of more than 50 food safety experts from 18 colleges and universities. The network of scientists will receive \$5 million from the U.S. Department of Agriculture (USDA) to investigate several of the most prevalent food-related illness pathogens, with \$2 million of that funding directed to enhance research on BSE.

"In a rapidly changing world marketplace, science is the universal language that must guide our rules and policies, rather than subjectivity or politics," said Agriculture Secretary Mike Johanns in a press statement. He added, "Expanding our research efforts to improve the understanding of BSE and other food-related illness pathogens will strengthen the security of our nation's food supply."

BSE research funds, redirected by the USDA Agricultural Research Service (ARS), will be used for new BSE projects and facilities and build upon President Bush's fiscal year (FY) 2006 budget proposal, which would increase BSE research by \$7.3 million, or 155% more than 2005 funding levels.

The newly funded projects include international collaborations with the Veterinary Laboratory Agency in Great Britain to study the biology of the BSE agent, the Italian BSE Reference Laboratory to evaluate present diagnostic tools for detecting atypical BSE cases, and the University of Santiago de Compostela in Spain to compare North American and European BSE strains. About \$750,000 will go toward a biocontainment facility now under construction at the ARS National Animal Disease Center (NADC) in Ames, Iowa. These facilities will eventually allow the long-term study of BSE infection in cattle and other large animals, which could take a decade or more.

In addition to NCSU, the 17 other institutions in the project are: Cornell University; Iowa State University; McMaster University; Mississippi State University; North Dakota State University; Ohio State University; Tuskegee University; University of Arizona; University of California, Davis; University of California, Berkeley; University of Florida; University of Illinois; University of Kentucky; University of Minnesota; University of Montreal; Washington State University; and West Texas A&M University.



by eliminating all pathways of the BSE agent; tests enough cattle to determine BSE prevalence and the effectiveness of Canada's feed ban; removes all SRMs as is done in Europe; closes feed ban loopholes and ensures feed ban compliance; and ensures implementation of country-of-origin labeling (often referred to as COL or COOL).

Others critical of opening the Canadian border to live cattle also propose stronger BSE safeguards such as banning all blood, manure and harvesting facility waste in animal feed and allowing private testing for BSE in cattle.

Despite these criticisms, Johanns said the prolonged border closure, the fate of which is now in the hands of the Ninth Circuit Court of Appeals, is causing a structural shift in the North American packing industry, costing U.S. jobs and affecting some beef producers with higher transportation costs to market their cattle.

Moreover, many — including Johanns — believe the U.S.-Canadian border issue must be resolved as a precursor to regaining access to U.S. beef export markets in the Pacific Rim, including America's largest beef export destination, Japan.

During the roundtable discussion, Johanns said: "The approach we want to take with Canada is no different from the approach we are asking other international trading partners to take with us. We ask that once the safety of the product has been confirmed, trade be allowed to resume — the same request we have received from Canada. We have confirmed that Canada's safeguards are effective and Canadian beef is safe. This is not guesswork, it's not magic, and it's not politics. It's science."

Ron DeHaven, Animal and Plant Health Inspection Service (APHIS) administrator, added that the best science available on BSE "supports the conclusion that both U.S. animal health and the human food supply can be protected while continuing trade with BSE-affected countries, as long as appropriate protections and mitigations are taken." He said the OIE has never advocated a total prohibition on all imports of meat and meat products, or even live cattle, from BSE-infected countries.

"Both OIE's guidelines and the science of the disease support the safety of trade in live animals and beef, provided that exporting countries have taken precautions against the disease and that appropriate safeguards — such as feed bans and SRM — are in place," DeHaven said.

### What if the border doesn't reopen?

If the U.S. border isn't opened to Canadian beef, Johanns expressed concern for the American beef industry, saying, "Every day that the Canadian border remains closed, American producers and processors are impacted ... and the more likely it is that the resulting economic damages in the U.S. will be permanent."

For instance, he pointed out that Japan represents nearly half of the U.S. beef export market that remains closed, saying, "But, it is difficult to ask Japan to treat us in one way while we effectively are treating Canada in another way. We tell Japan our beef is safe, which it is, and we become impatient when they won't open their borders. Yet, we have not opened our borders to Canadian beef?"

As a second example, Johanns reports that Canada is expanding its harvesting capacity, which could have a long-term negative effect on the United States. Canadian officials have made it very clear to him that they would prefer to work with us as trading partners than to compete with us, but because they are unable to export their cattle and beef to the United States, they must try to import processing and work to compete against us in other markets.

"They are succeeding," he says. "The number of cattle processed in Canada rose dramatically in 2004, and the number continues to increase this year."

That said, Johanns expressed "urgency" in opening the borders. "The simple truth is

that every day that the border remains closed, the industry continues to restructure," he says. "Every day, we move further down the path toward permanent job losses as packers and processors close down plants impacted by unsustainable losses."

Johanns adds, "I will not sit back and silently watch as a way of life in rural America migrates to become the lifeblood of another country ... opening both the Japanese and the Canadian borders is absolutely safe and absolutely necessary for the health of our beef industry."



**Editor's Note:** On June 24, after this article was written, Johanns announced confirmation of the United States' second case of BSE. The animal, identified in November 2004, was among three presumptive positives that subsequently tested negative using the immunohistochemistry (IHC) test. Seven months after the animal was originally identified, the Office of the Inspector General requested the samples be retested using the Western blot test. The Western blot was reactive, prompting USDA to send samples from the animal to the Veterinary Laboratories Agency in Weybridge, England, for further analysis. Weybridge officials conducted a combination of rapid, IHC and Western blot testing on tissue samples from the animal in question. In announcing the positive result, USDA reiterated that this case posed no threat to the safety of the nation's food supply. The carcass had been destroyed and did not enter the feed or food supply. USDA also noted the animal was born before the United States instituted a ruminant-to-ruminant feed ban in August 1997. This occurrence does not change the facts of the story above.