



Richard Gebhart
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April 22, 2014

Docket Number APHIS 2009-0017
Regulatory Analysis and Development
PPD, APHIS, Station 3A-03.8
4700 River Road, Unit 118
Riverdale, MD 20737-1238

RE: Docket Number APHIS 2009-0017, Importation of Beef From A Region in Brazil

On behalf of the members of the Oklahoma Cattlemen's Association (OCA), we appreciate the opportunity to provide comments on the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Services (APHIS) proposed rule for the importation of fresh, matured, deboned beef from fourteen regions in Brazil. OCA is a grass-roots organization of cattle producers who are committed to the stewardship of land, water and animals. Additionally, OCA is an affiliate member of the National Cattlemen's Beef Association (NCBA) and works closely with that organization on issues pertaining to national and global beef production and consumption.

OCA members overwhelmingly oppose the proposed rule and request APHIS to withdraw it. Specific to this proposed rule is the threat of the introduction of Foot-and-Mouth Disease (FMD) into the United States. FMD has been called the most infectious animal disease by many veterinarians and animal disease experts. It affects domestic cloven-hoofed animals such as cattle, swine, sheep and goats as well as wildlife like deer and elk. In 1929, the last documented case of FMD in the US occurred while the last reported outbreak of FMD in Brazil was in 2006. The United States Animal Health Association reports that a majority of outbreaks in a country were caused by the legal or illegal importation of FMD infected animals or animal products. Adequate import controls and quarantine processes for live animals is the first line of defense against the introduction of FMD.

Specific to our objections to the proposed rule, we offer these reasons.

It is our understanding that between 2002 and 2013, APHIS made five site visits to Brazil to verify information and procedure. However, no written documentation or reports of the site visits are available for review. APHIS has informed NCBA that written reports or documentation of the site visits are required because the site visits were reviews and not audits. It is the opinion of OCA that recognizing the significant threat of FMD, documentation of the visits no matter their type is both justifiable and obligatory. If the site visits were used to verify Brazil's ability to isolate, control or otherwise regulate FMD, then it would be logical that documents to prove this verification are warranted.

In the proposed rule, APHIS concludes that Brazil could quickly detect, limit spread and report promptly disease outbreaks. This assessment is based upon the FMD outbreaks in 2005 and 2006 in Brazil. However, in 2010, Brazil demonstrated a significant lack of reporting animal disease when they failed to promptly identify and report the country's first case of Bovine Spongiform Encephalopathy (BSE). Because of Brazil's eighteen month delay in reporting and their deficiency in sending samples to the international laboratory, the World Organization for Animal Health (OIE) Commission reprimanded Brazil. The reasons Brazil offered for the delays were the laboratory overload present in their laboratory system. This brings significant concern in Brazil's ability to report and act upon a highly infectious disease such as FMD. OCA is apprehensive that Brazil has improved their processes sufficiently enough to warrant confidence to being importing uncooked products.

Brazil has a proven record of poor performance in USDA Food Safety and Inspection Service (FSIS) food safety compliance audits from 2003 to 2013. A review of FSIS audits in the past ten years, provides a negative pattern that calls into question Brazil's ability to execute adequate oversight of their food safety programs. Several times in the recent past, Brazil has voluntarily suspended meat exports because of deficiencies, errors and oversights. While OCA appreciates Brazil's willingness to voluntarily suspend exports, the overall questionable track record gives produces significant doubt in their ability to consistently provide adequate controls. The most recent reports indicate Brazil had residual issues regarding the animal de-wormer Ivermectin in processed beef. Brazil's very poor compliance record with FSIS audits gives further cause to oppose the importation of beef under the proposed rule.

Oklahoma Cattlemen's Association members have demonstrated significant concern for the proposed APHIS rule. While we appreciate the agencies consideration of concept of regionalized trade, we find substantial reasons for anxiety with Brazil's lack of ability to comply with existing audits and reporting process and thus their inability to keep FMD from reaching the US cattle herd. OCA strongly urges the withdrawal of this proposed rule.

We appreciate the opportunity to comment and appreciate consideration of our request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Gebhart", with a horizontal line extending to the right from the end of the signature.

Richard Gebhart
President, Oklahoma Cattlemen's Association