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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

RANCHERS CATTLEMEN ACTION LEGAL FUND)
UNITED STOCKGROWERS OF AMERICA,)

Plaintiff,)

vs.)

UNITED STATES DEPARTMENT OF AGRICULTURE,)
ANIMAL AND PLANT HEALTH INSPECTION)
SERVICE, and ANN M. VENEMAN, IN HER)
CAPACITY AS THE SECRETARY OF AGRICULTURE,)

Defendants.)

CV-04-BLG-RFC

STIPULATION

Whereas defendants are engaged in a rulemaking that may affect the justiciability of this

case, pursuant to Fed. R. Civ. P. 65 and the Court's April 26, 2004 Temporary Restraining Order, and subject to the approval of this Court, plaintiffs and defendants hereby stipulate and agree as follows:

1. The temporary restraining order entered on April 26, 2004, is converted into a preliminary injunction which will expire five days after plaintiff is notified of final agency action (as indicated in paragraph 4, below) on the rulemaking proposed on November 4, 2003, 68 Fed. Reg. 62,386, and reopened on March 8, 2004, 69 Fed. Reg. 10,633.

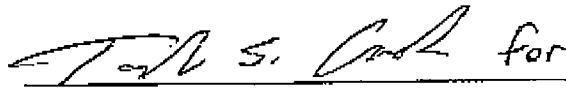
2. While the preliminary injunction is in effect, the only bovine meat products that can be imported from Canada for human consumption, and in accordance with the required risk mitigation measures, are those identified in Exhibit 1. Ruminant products originating in a BSE-free region or from the United States that are processed in Canada and exported to the United States shall not be deemed Canadian products as defined in Exhibit 1, as long as the products are not co-mingled with products from BSE regions.

3. The May 11, 2004 hearing on plaintiff's application for a preliminary injunction is vacated.

4. Defendants will provide a status report on the rulemaking process referenced in paragraph 1 every forty-five days until final agency action is published in the Federal Register and will notify the Court and plaintiffs on the date that final agency action goes on display at the Federal Register.

5. Defendants will provide at least five business days' notice to plaintiff prior to filing any motion to modify or dissolve the preliminary injunction.

FOR PLAINTIFF:


 for

Date: 5-4-04

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FOR DEFENDANTS:


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Date: 5-4-04

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CERTIFICATE OF SERVICE

I certify that on May 4, 2004, a copy of the Stipulation and proposed Order was served upon plaintiff's counsel by first-class mail, postage prepaid, as follows:

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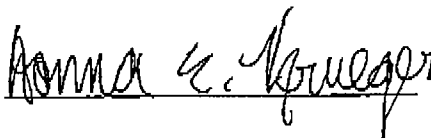


EXHIBIT 1

Low Risk Canadian Products

Description	Required Risk Mitigations <i>Import Permit Req'd for All Products</i>
Fresh or Frozen Bovine Liver	Certificate indicating pure liver; no air-injected stunning used at slaughter
Veal (including carcasses) from calves 36 weeks of age or under	CFIA verification that the calves were 36 weeks of age or less when slaughtered and are not known to have been fed prohibited products during their lifetime, and that either tonsil and intestine were removed or that the calves were only fed milk protein or milk replacer that was of US origin
Bovine Meat, Boneless Fresh or Frozen from animals under 30 months of age - (no advanced meat recovery (AMR), mechanically separated meat, ground meat, or low-temperature rendered product) <i>[includes trim/manufacturing trim derived from skeletal muscle with associated tissues, not including any ground meat, trim derived from a mechanical separation process (including AMR), or derived from vertebral column]</i>	CFIA verification that the animals were under 30 months of age when slaughtered and are not known to have been fed prohibited products during their lifetime; brain and spinal cord are removed; slaughter plant only kills animals less than 30 months of age.