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Docket No. APHIS–2018–0007
Regulatory Analysis
and Development, PPD, APHIS, Station
3A–03.8
4700 River Road, Unit 118
Riverdale, MD 20737–1238.

Sent via [regulations.gov](https://www.regulations.gov)

Re: R-CALF USA’s Comments in Docket No. APHIS–2018–0007: Importation of Fresh Beef From Paraguay, Proposed Rule.

Dear Sir or Madam:

The Ranchers Cattlemen Action Legal Fund United Stockgrowers of America (R-CALF USA) appreciates this opportunity to comment to the U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) regarding the above captioned proposed rule *Importation of Fresh Beef From Paraguay* (proposed rule), available at 88 Fed. Reg., 18,077-086 (March 27, 2023).

R-CALF USA is the largest trade association that exclusively represents United States cattle farmers and ranchers within the multi-segmented beef supply chain. Its thousands of members reside in 44 states and include cow-calf operators, cattle backgrounders and stockers, and feedlot owners, as well as sheep producers.

As explained in more detail below, R-CALF USA urges APHIS to withdraw its proposed rule on the grounds that it will cause an unnecessary and avoidable risk of introducing foot-and-mouth disease (FMD) into the United States; subject U.S. consumers to beef from cattle that were not raised in compliance with United States’ production standards; cause undue financial and economic injury to U.S. cattle farmers and ranchers and their communities; accelerate the ongoing contraction of the U.S. cattle industry; accelerate the deforestation of Paraguay; deprive U.S. citizens of the protections due them by their sovereign government; and because APHIS’ risk evaluation methodology is incapable of accurately assessing the risk for FMD outbreaks in countries with histories of FMD.

A. The Proposed Rule Constitutes an Unnecessary and Avoidable Risk of Introducing FMD into the United States.

APHIS discloses in its risk assessment that [t]he consequences of an FMD outbreak in the United States would be extremely high[.]” and losses “over a 15-year period would be between US\$37 billion to US\$42 billion (in 2011 dollars) depending on the magnitude of the outbreak and eradication strategy.”¹

¹ Risk Analysis: Foot-and-Mouth Disease Risk from Importation of Fresh (Chilled or Frozen), Matured,

Increasing the probability that such a catastrophic consequence will occur and relying on outdated site evaluations (one was 15 years ago (2008) and the latest was 9 years ago (2014)² and an outdated risk assessment (which was completed 5 years ago (2018), APHIS rationalizes the very real risk that FMD is circulating undetected in Paraguay and could be transmitted to the United States under the proposed rule. For example, APHIS states it “does not consider Paraguay as free of FMD because Paraguay vaccinates against FMD and vaccinated herd may not mean all the animals in the herd are FMD free. This may result in beef from an infected animal being imported [into the United States].”³ But in other breaths, APHIS concludes that the overall risk associated with importing fresh beef from Paraguay is low[]” and “[b]ased on the evidence from a risk analysis, we have determined that fresh beef can safely be imported from Paraguay, provided certain conditions are met.”⁴

APHIS provides ample justification for summarily dismissing Paraguay's request for access to America's beef market, but it ignores its own compelling justification. APHIS states:

FMD is a highly contagious disease caused by a resilient virus readily transmitted to all cloven-hoofed animals. There are few effective mitigation measures to guard against the risk of exposure of susceptible U.S. livestock if FMD-infected animals or products contaminated with the FMD virus were imported into the United States.⁵

It is undeniable that the proposed rule will increase the risk of introducing FMD into the United States. Even though APHIS claims the risk of this new proposed rule is “low,” that “low” risk must now be added to the United State's current risk of an FMD introduction without the proposed rule. APHIS does not state what the United States' risk of an FMD introduction is currently, but that risk has certainly compounded each time the Agency has relaxed the U.S. border to countries not free of FMD, such as Brazil and Northern Argentina. Therefore, whatever the level of the current risk, the proposed rule will further compound that risk by a measure of degrees.

So it is that in APHIS' own words, the proposed rule embodies a “low” risk for an “extremely high” consequence. Given the probability that this extremely high (catastrophic) consequence will occur is low, but not zero, any agency action other than to withdraw the proposed rule would be reckless and irresponsible.

B. The Proposed Rule Will Subject U.S. Consumers to Beef from Cattle that were Not Raised in Conformity with United States' Production Standards.

According to its website, the U.S. Anti-Doping Agency (USADA) is the national anti-doping organization (NADO) in the United States for Olympic, Paralympic, Pan American, and Parapan American sport.⁶ In the USADA's article titled “Clenbuterol and Meat Contamination” the respected organization urges athletes to reduce their risk of consuming meat contaminated with prohibited substances by “Inquir[ing] where meat products are sourced from at hotels and restaurants (imported meats from the United States, Europe, New Zealand, or Australia have tighter regulations and higher

Deboned Beef from Paraguay into the United States, USDA-APHIS, August 2018, at 69.

² See 88 Fed. Reg., at 18,078.

³ Regulatory Impact Analysis & Initial Regulatory Flexibility Analysis Proposed Rule, APHIS-2018-0007, at 1.

⁴ 88 Fed. Reg., at 18,077

⁵ *Id.*, at 6.

⁶ See About USADA: The Gold-Standard in Anti-Doping, available at <https://www.usada.org/about/>.

quality standards).⁷ Paraguay is not listed among the countries with tighter regulations and higher quality standards and, therefore, is not viewed by the USADA as a country unlikely to produce contaminated beef or other meat.

This fact highlights a significant omission in APHIS's assessment of Paraguay. The agency does not appear to have conducted any review to determine if Paraguayan cattle are subject to the same stringent animal husbandry standards as are cattle in the United States. We know, for example, that the United States' Veterinary Feed Directive (VFD), which requires U.S. cattle producers to obtain a veterinary certificate before feeding antibiotics in their cattle diets, only applies to cattle production in the United States.⁸ This single example demonstrates that U.S. cattle subject to the U.S. VFD are competitively disadvantaged when beef from foreign cattle (such as from Paraguay) not subject to the VFD is imported into the United States. This is because the VFD adds a cost of production on U.S. cattle producers that foreign cattle producers are allowed to avoid.

In addition, the proposed rule is void of any discussion regarding whether Paraguay allows the use of cattle vaccines, other veterinary biologics, parasite controls, or growth hormones in the production of Paraguayan cattle that are banned in the United States. It is also void of any discussion on whether pesticides banned in the U.S. – e.g., DDT which was banned in the U.S. in the 1970s – is still in use in Paraguay for malaria control in regions where it could contaminate animal feed stuffs.

The online publication *Beef2Live*, provides additional evidence that Paraguayan cattle are raised under substandard conditions. According to one of its 2018 articles, the Paraguayan cattle herd was declining primarily because of “a low weaning ratio that is related to poor cow nutrition, reproductive diseases, and a high loss rate of born calves.”⁹

Allowing imports of Paraguayan beef produced from cattle that were not raised in conformity to the United States stringent production standards confers a distinct and unfair competitive advantage upon Paraguayan beef that harms both U.S. cattle producers and U.S. consumers. As an absolute minimum, APHIS should evaluate the animal husbandry practices in Paraguay, determine the cost savings for Paraguayan cattle production associated with not having to meet U.S. standards (e.g., the VFD) and then impute those cost savings into the agency's Regulatory Impact Analysis to arrive at a more accurate cost/benefit analysis for the proposed rule.

Importantly, APHIS should not be facilitating the importation of beef produced from cattle subject to substandard production standards and should, therefore, immediately withdraw its proposed rule.

C. The Proposed Rule Will Cause Undue Financial and Economic Injury to U.S. Cattle Farmers and Ranchers and Their Communities.

The Agency's Regulatory Impact Analysis finds that 99 percent of U.S. beef cattle operations are classified as small and 99 percent of them had annual sales of less than \$1 million.¹⁰ These data indicate the vast majority of America's beef cattle operations are family owned and/or operated

⁷ *Id.*, at <https://www.usada.org/spirit-of-sport/clenbuterol-and-meat-contamination/>.

⁸ Correspondence from AskCVM, Center for Veterinary Medicine, U.S. Food and Drug Administration, February 14, 2017 (“The VFD [Veterinary Feed Directive] rule does not apply outside of the United States.”)

⁹ Paraguay Beef & Cattle Outlook 2018, Beef2Live, Dec. 15, 2018, available at [Paraguay Beef & Cattle Outlook 2018 - Beef2Live | Eat Beef * Live Better](#).

¹⁰ See Regulatory Impact Analysis & Initial Regulatory Flexibility Analysis Proposed Rule, APHIS-2018-0007, at 8-9.

farming and ranching operations, *i.e.*, they constitute family farms and ranches within America's family farm system of agricultural production as opposed to corporate/industrialized production operations. And under its proposed rule, APHIS fully expects to exact injury to America's family farmers and ranchers, anticipating that injury to be in the range of \$12 to \$23 million annually.¹¹

According to the Mexican publication *Yucatan Times*, there is an unequal land distribution in Paraguay that has put the majority of the land in the hands of only a few large property owners and brought corruption into the politics of the country.¹² (Note that the *Yucatan Times* article dated May 2021 is much more recent than APHIS' five-year-old risk assessment). And so it is that APHIS intends to purposefully cause financial injury to hundreds of thousands of America's family farmers and ranchers and the rural communities that they support, for the benefit of only a few large Paraguayan cattle operations.

Another article published online more recently than APHIS' five-year-old risk assessment containing nine-year-old data is by *Beef2Live* and reveals that just 3,000 large Paraguayan cattle producers control one-half of the Paraguayan cattle herd.¹³ R-CALF USA estimates that these large operations that control half of Paraguay's cattle inventory have an average herd size of over 2,300 head. *Beef2Live* further reveals that prior to 2018 more than 400 Paraguayan cattle operations registered over 1.6 million head of Paraguay's 14 million head cattle herd in the country's traceability system, suggesting that these are cattle whose beef is destined for export.¹⁴ A rough estimate reveals the average number of cattle controlled by each of these 400-plus presumed export-destined cattle operations is 4,000 head.

It is inscrutable that APHIS would propose to purposefully cause millions of dollars in financial injury to U.S. family farms and ranches and their communities in order to cater to Paraguay's largest cattle operations. This is antithetical to APHIS' parent department's, the USDA's, statutory obligation to "strengthen [America's] family farm system" of agriculture, including to develop solutions to problems faced by "small- and moderate-sized family farming operations."¹⁵

The proposed rule fails to provide the U.S. cattle industry with any means with which to mitigate this injury because beef sold at the meat counter in U.S. grocery stores is not required to be labeled as to its country of origin. As a result, U.S. consumers are unable to distinguish Paraguayan beef produced under Paraguay's lesser production standards from domestic beef produced under America's higher standards (note VFD rule). In addition, and due to the inability to distinguish the origins of beef, U.S. consumers will be exploited to the extent that the undifferentiated Paraguayan beef is priced the same as domestic beef even though its wholesale cost is less than domestic wholesale prices.

¹¹ See *id.*, at i, 5, 6.

¹² See Paraguay Investigation Uncovers Link Between Deforestation and Cattle Farming, *The Yucatan Times*, May 13, 2021, available at [Paraguay Investigation Uncovers Link Between Deforestation and Cattle Farming – The Yucatan Times](#).

¹³ See Paraguay Beef & Cattle Outlook 2018, *Beef2Live*, Dec. 15, 2018, available at [Paraguay Beef & Cattle Outlook 2018 - Beef2Live | Eat Beef * Live Better](#).

¹⁴ See *id.*

¹⁵ See 7 U.S.C. 2204 et seq.

D. The Proposed Rule Will Accelerate the Ongoing Contraction of the U.S. Cattle Industry.

As evidenced by the Charts numbered 1-3 in the attached Addendum, the U.S. cattle industry has been shrinking at an alarming rate during the past four decades in terms of its number of industry participants, herd size, and available marketing outlets, which together constitute the industry's competitive infrastructure. In addition, and as shown in Chart 4 in the Addendum with data from USDA's Cow-Calf Production Costs and Returns Per Cow, the largest proportion of the U.S. live cattle supply chain – U.S. cow/calf producers, have been unable, on average, to recover their full costs of production from the marketplace for decades.

APHIS has made clear in its Regulatory Impact Analysis that the proposed rule will cause financial and economic injury to the U.S. cattle industry and, consequently, the proposed rule will both exacerbate and accelerate its alarming, long-term downward trajectory.

And similar to the financial injury expected to be sustained by U.S. cattle producers, this exacerbation and acceleration of the contraction of the U.S. cattle industry will occur without affording the industry the means with which to mitigate the harm because beef sold at the meat counter in U.S. grocery stores is not required to be labeled as to its country of origin. As a result, U.S. consumers are unable to distinguish Paraguayan beef produced under Paraguay's lesser production standards (*e.g.*, without the VFD) from domestic beef produced under America's higher standards. In addition, and due to the inability to distinguish the origins of beef, U.S. consumers will be exploited to the extent that the undifferentiated Paraguayan beef is priced the same as domestic beef even though its wholesale cost is less than domestic wholesale prices.

E. The Proposed Rule Will Accelerate the Deforestation of Paraguay.

The proposed rule is antithetical to President Biden's stated goal of curbing climate change as it will directly contribute to the ongoing deforestation of Paraguay. Several online articles describe the ongoing deforestation of Paraguay, which the proposed rule will further and directly incentivize by granting Paraguay access to the U.S. market. For example, one article attributes the loss of 2.4 million hectares of native vegetation in the Paraguayan part of the Chaco biome to the expansion of pasture; claims the Dry Chaco region experienced the highest rates of deforestation in the world during the past decade; and asserts that pasture-driven deforestation in the Dry Chaco accounted for nearly all direct deforestation between 2014 and 2019.¹⁶

Another article asserts that cattle ranching in Paraguay has increased exponentially in recent years, changing large nature areas into farmable lands; it also asserts that the numerous "cattle rangers" in Paraguay ignore the country's environmental laws; and it asserts the Paraguayan Chaco region is among the top five of the highest rates of deforestation in the world.¹⁷

¹⁶ See High deforestation risk for beef from the Paraguayan Chaco, Trase Insights, June 20, 2021, available at [Trase Insights - High deforestation risk for beef from the Paraguayan Chaco](#).

¹⁷ See Tackling uncontrolled deforestation in Paraguay by improving landscape planning, National Committee of the Netherlands, June 1, 2019, available at [Tackling uncontrolled deforestation in Paraguay by improving landscape planning | IUCN NL](#).

And a third article reinforces that the deforestation of Paraguay is fueled by the demand for Paraguayan beef and the leather from its cattle.¹⁸ Of course, the proposed rule will further increase demand for Paraguayan beef, a prospect likely to incentivize even more deforestation.

If the Biden Administration is sincere regarding its goal of curbing climate change, then the proposed rule must be immediately withdrawn as it embodies an inherent signal that the U.S. encourages Paraguay to continue increasing its cattle production, all without providing any restrictions on Paraguay's ongoing deforestation activities.

F. The Proposed Rule Will Deprive U.S. Citizens of the Protections Due Them by Their Sovereign Government.

Chart 5 located in the attached Addendum reveals that the United States has no need for imports of Paraguayan beef. It instead shows that the United States has suffered under a volume-based world trade deficit in the trade of cattle and beef for over three decades. This annually recurring trade deficit depresses prices for domestic cattle and eliminates opportunities for aspiring cattle farmers and ranchers who would otherwise choose to enter the domestic cattle industry, as well current farmers and ranchers who would otherwise choose to expand or otherwise maintain profitable beef cattle operations.

APHIS' only stated reason for its proposal to increase the risk of introducing FMD into the United States under the proposed rule is that the Agency is beholden to the international tribunal known as the World Trade Organization. APHIS states,

The United States is a signatory to the World Trade Organization's Sanitary and Phytosanitary Agreement; members must base their import restrictions on scientific principles and guidelines. Therefore, in response to the official request from Paraguay, and in accordance with relevant U.S. statutes, regulations, and agreements, USDA APHIS [proceeded with the proposed rule].¹⁹

The Animal Health Protection Act charges the U.S. Secretary of Agriculture with both the responsibility and authority to protect United States cattle producers and other citizens by preventing the introduction into or dissemination within the United States of any pest or disease of livestock.²⁰ Congress did not intend the Secretary's responsibility and authority to be shared with the World Trade Organization (WTO), an unelected and unappointed international tribunal.

The WTO-driven proposed rule, because it exposes the United States to an unnecessary and avoidable risk of introducing one of the most pernicious diseases known to cattle, must be withdrawn in order for the Secretary of Agriculture to fulfill his duty of protecting U.S. livestock and the American people.

¹⁸ See Paraguay Investigation Uncovers Link Between Deforestation and Cattle Farming, The Yucatan Times, May 13, 2021, available at [Paraguay Investigation Uncovers Link Between Deforestation and Cattle Farming – The Yucatan Times](#).

¹⁹ Importation of Fresh (Chilled or Frozen), Matured, Deboned Beef from Paraguay Draft Environmental Assessment, USDA APHIS, April 2022, at 2.

²⁰ See 7 U.S.C. 8301(a)(1).

G. APHIS' Risk Evaluation Methodology Is Incapable of Accurately Assessing the Risk for FMD Outbreaks in Countries with Histories of FMD.

The 11 factors relied on by APHIS to evaluate the potential for foreign animal disease to enter the United States were not proposed or developed for the purpose of preventing the introduction of such diseases into the United States; but rather, they were proposed and developed pursuant to international trade agreements and at the behest of the World Organization for Animal Health (OIE). For example, APHIS' original, 1996 proposed rule to relax U.S. disease restrictions by allowing regions within FMD-affected countries to nevertheless import higher-risk products into the United States was proposed for the express purpose of achieving compliance with "U.S. obligations under NAFTA-SPS and WTO-SPS with respect to the importation of live animals and animal products." 61 Fed. Reg., 16979/1. So too was the purpose of the agency's final rule to relax U.S. disease restrictions: "The fundamental purpose of the changes we are making to the regulations . . . is to fulfill U.S. commitments under international trade agreements." 62 Fed. Reg., 56010/2. And, ". . . our overriding goals in implementing regionalization are to facilitate trade in accordance with international agreements. . ." 62 Fed. Reg., 56005/1. Moreover, APHIS granted complete and total deference to the OIE, thus abrogating its congressional mandate to protect U.S. livestock from the introduction of dangerous and destructive diseases, when, in 2001, it resumed imports of high-risk products from Japan on the basis that, "According to international disease standards set by the Office International des Epizooties . . . that country [Japan] can regain its FMD-free status 3 months after the last case. Therefore . . . we have determined that Japan meets our requirements for being recognized as free of FMD." 66 Fed. Reg., 46228/3 (emphasis added).

Using those *same* 11 factors incorporated into U.S. disease regulations by international interests and by granting inexplicable deference to the OIE, APHIS previously reached the *same* low-risk conclusion it now has reached for Paraguay when it had previously evaluated the potential for FMD outbreaks in Argentina, Uruguay, South Africa, South Korea and Japan. As discussed more fully below, each of these countries/regions subsequently experienced widespread FMD outbreaks after APHIS' cavalier and overly optimistic conclusions that each of these countries/regions presented a low risk for FMD.

1. APHIS' Risk Evaluation Methodology Resulted in the Miscalculation of FMD Risks in Argentina.

In August 1997, APHIS engaged in a high-risk scheme to begin importation of fresh beef from Argentina, even though Argentina was still carrying out vaccination for FMD. *See* 62 Fed. Reg., 56003/2. APHIS claimed that this new scheme "exemplified the opportunity" to regionalize countries with ongoing FMD problems. *See id.* In July 2000, APHIS fully implemented a regionalization scheme for Argentina by prohibiting the importation of beef from animals that had been in specified areas along Argentina's border. *See* 65 Fed. Reg., 82894/1. In August 2000, just days before the effective date of APHIS' regionalization rule, Argentina confirmed a new outbreak of FMD. Nevertheless, APHIS concluded the U.S. could continue to safely import fresh beef from Argentina under its regionalization scheme, despite this new outbreak. *See id.*, 82894/3. For nearly a year after its August 2000 outbreak, Argentina remained eligible to export fresh beef to the United States. APHIS, however, was subsequently forced to take emergency, retroactive action in June 2001 to protect U.S. livestock from the introduction of FMD from Argentina because at that time APHIS believed the FMD virus already was present in Argentina for several weeks before Argentina finally reported the first of many new and widespread FMD outbreaks beginning in March 2001. *See* 66 Fed. Reg., 29897/3; 29898/1.

APHIS' regionalization scheme for Argentina was an abject failure that could have easily resulted in the introduction of FMD into the United States.

2. APHIS' Risk Evaluation Methodology Resulted in the Miscalculation of FMD Risks in Uruguay.

In October 2000 APHIS regionalized, retroactively, Uruguay by removing only Artigas, a department in Uruguay, from the list of regions considered by the U.S. to be free of FMD. *See* 65 Fed. Reg., 82894/3; *see also* 65 Fed. Reg., 77772/1. APHIS had evaluated Uruguay's risk for FMD and concluded it was safe for the U.S. to continue the importation of fresh beef from Uruguay provided it was not from cattle in Artigas, a region APHIS determined to qualify as a distinct subpopulation for disease control and international trade purposes under its regionalization scheme. *See* 65 Fed. Reg., 77771-773. However, within about four months of USDA's presumed scientific conclusion that it was safe to continue the importation of beef in all regions of Uruguay except Artigas – a conclusion presumably based on a careful, scientific risk analysis – widespread FMD outbreaks were reported, beginning in April 2001, in numerous Uruguayan departments. *See* 66 Fed. Reg., 36695-697. By June 22, 2001, there were 1,596 new cases of FMD confirmed in 18 separate departments in Uruguay. *Ibid.*

3. APHIS' Risk Evaluation Methodology Resulted in the Miscalculation of FMD Risks in South Africa.

After conducting an on-site visit along with a risk evaluation regarding the risks for FMD in South Africa, APHIS, in April 2000, regionalized the Republic of South Africa and declared it, except the FMD-controlled area (which includes Kruger National Park) free of FMD. *See* 64 Fed. Reg., 7819/2, fn 1; *see also*, 66 Fed. Reg., 9641/1. In September 2000, APHIS was forced to take emergency action to protect U.S. livestock after a FMD outbreak was confirmed in KwaZulu-Natal, a province in the Republic of South Africa. *See* 65 Fed. Reg., 65728/1; 65729/1. APHIS, however, persisted with its regionalization scheme and simply carved out KwoZulu-Natal as a province ineligible to export fresh beef to the U.S. due to FMD. *See* 64 Fed. Reg., 65728/3. Within a matter of months, in November 2000, APHIS was again forced to take emergency action to prevent the introduction of FMD into the U.S. by removing all of the Republic of South Africa from the list of regions considered free of FMD following new outbreaks of the disease in additional provinces.

4. APHIS' Risk Evaluation Methodology Resulted in the Miscalculation of FMD Risks in South Korea.

After South Korea experienced outbreaks of FMD in 2000 and 2002, APHIS, in October 2008, completed a comprehensive, 56-page evaluation of the risks for FMD in South Korea in accordance with OIE guidelines and determined that South Korea was free of FMD and posed a negligible risk for introducing FMD into the United States.²¹ On December 28, 2009, APHIS issued a final rule declaring South Korea free of FMD and eligible to export fresh beef to the United States beginning January 12, 2010. *See* 74 Fed. Reg., 68478/3; 479/2. However, on January 6, 2010, just days before the effective date of APHIS' final rule, South Korea had an outbreak of FMD and APHIS was forced to delay indefinitely the effective date of South Korea's FMD-free designation. *See* 75 Fed. Reg., 1697/1.

²¹ *See* 74 Fed. Reg., 14093, col. 3; *see also* APHIS Evaluation of the Status of the Republic of Korea Regarding Foot-and-Mouth Disease and Rinderpest, USDA-APHIS, Oct. 2008, at 5, 39, and 41.

Similar to its evaluation regarding the risk for FMD posed by Paraguay, APHIS' overly optimistic evaluation of South Korea's FMD risk concluded:

Based on an evaluation of the 11 factors and observations from the site visit, APHIS considers that the Republic of Korea has the legal framework, animal health infrastructure, disease detection capabilities, reporting systems, and emergency response systems that are necessary for maintaining the Republic of Korea as free of FMD.²²

However, APHIS was dead wrong and the reality is that South Korea was overwhelmed by the outbreaks that began Jan. 6, 2010, and that APHIS had concluded were unlikely to occur.

5. APHIS' Risk Evaluation Methodology Resulted in the Miscalculation of FMD Risks in Japan.

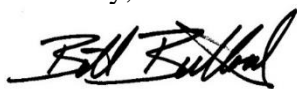
Nine years after APHIS declared Japan free of FMD, based exclusively on OIE standards (*see* 66 Fed. Reg., at 46228/3, *supra*), APHIS was forced to take emergency action to ban beef imports from Japan due to numerous outbreaks of FMD that began in that country in April 2010.²³ On June 9, 2010, Bloomberg News reported that Japan had so far discovered 185,999 cases of FMD and had destroyed 154,000 animals, with plans to destroy an additional 122,000 animals in its attempt to control the ongoing spread of FMD.²⁴

The foregoing examples are all near misses – they all represent situations in which APHIS' reckless actions threatened the health and welfare of U.S. livestock and U.S. livestock producers. As a result of APHIS' foregoing actions, the United States was particularly vulnerable to the importation into the United States of products that are known to carry the FMD virus and the importation of such products could have resulted in widespread outbreaks of FMD in the U.S. livestock herd. These foregoing examples demonstrate unequivocally that APHIS lacks both the ability and capacity to accurately assess the risk of FMD and the effectiveness of FMD risk mitigation measures in countries with histories of FMD outbreaks, including countries where FMD had not been reported for nearly a decade, *e.g.*, Japan and South Korea.

H. Conclusion

For the foregoing reasons, R-CALF USA respectfully requests that APHIS immediately withdraw its proposal to allow the importation of fresh beef from Paraguay.

Sincerely,



Bill Bullard, CEO

²² APHIS Evaluation of the Status of the Republic of Korea Regarding Foot-and-Mouth Disease and Rinderpest, USDA-APHIS, October 2008, at 39.

²³ *See* U.S. Bans Japan Beef Imports Over FMD Concerns, USAgNet, May 21, 2010 (Reporting that Bloomberg news received an e-mailed statement from USDA regarding the imposition of a U.S. ban on Japanese beef imports), available at <http://www.wisconsinagconnection.com/story-national.php?Id=1027&yr=2010>.

²⁴ *See* Japan Sees 'High Risk' of Foot-And-Mouth Expansion (Update 1), Bloomberg, June 9, 2010, available at <http://www.businessweek.com/news/2010-06-09/japan-sees-high-risk-of-foot-and-mouth-expansion-update1-.html>.

ADDENDUM

Chart 1

Alarming Exodus of America's Beef Cattle Operations
(~15,000 Operations Lost Each Year from 1980-2017)

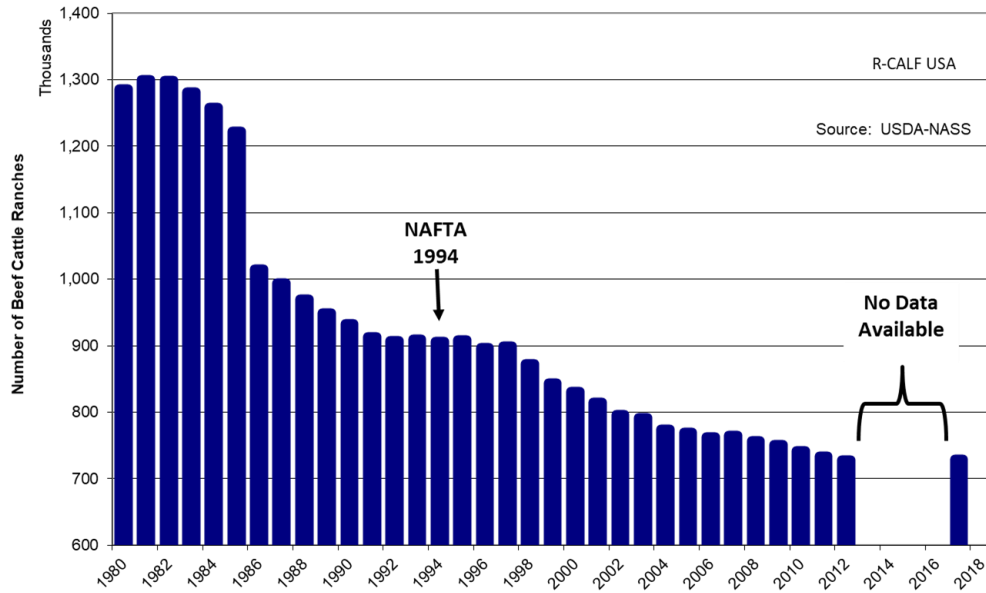


Chart 2

The U.S. Beef Cow Herd Is Shrinking Fast
Hitting a 70-year Low in 2014

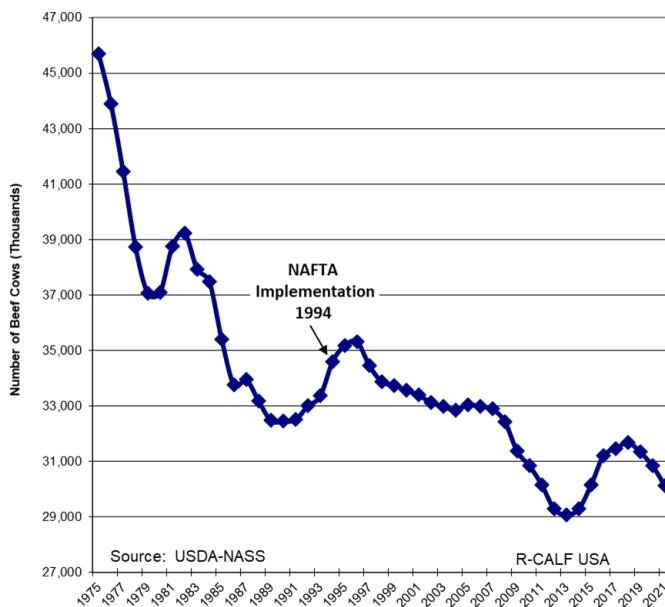


Chart 3

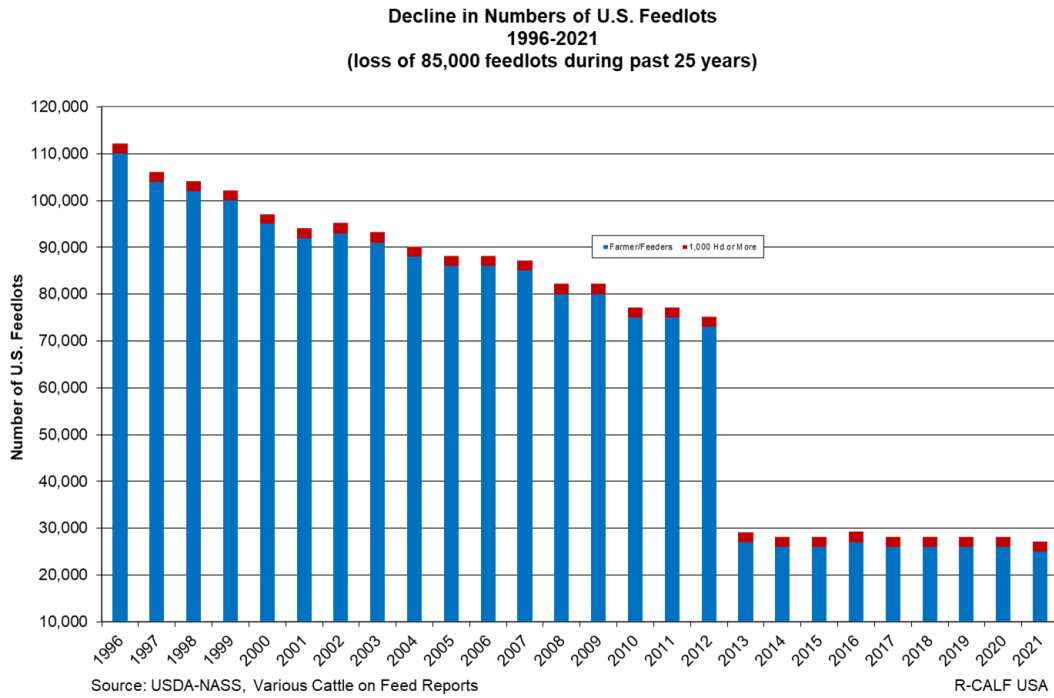


Chart 4

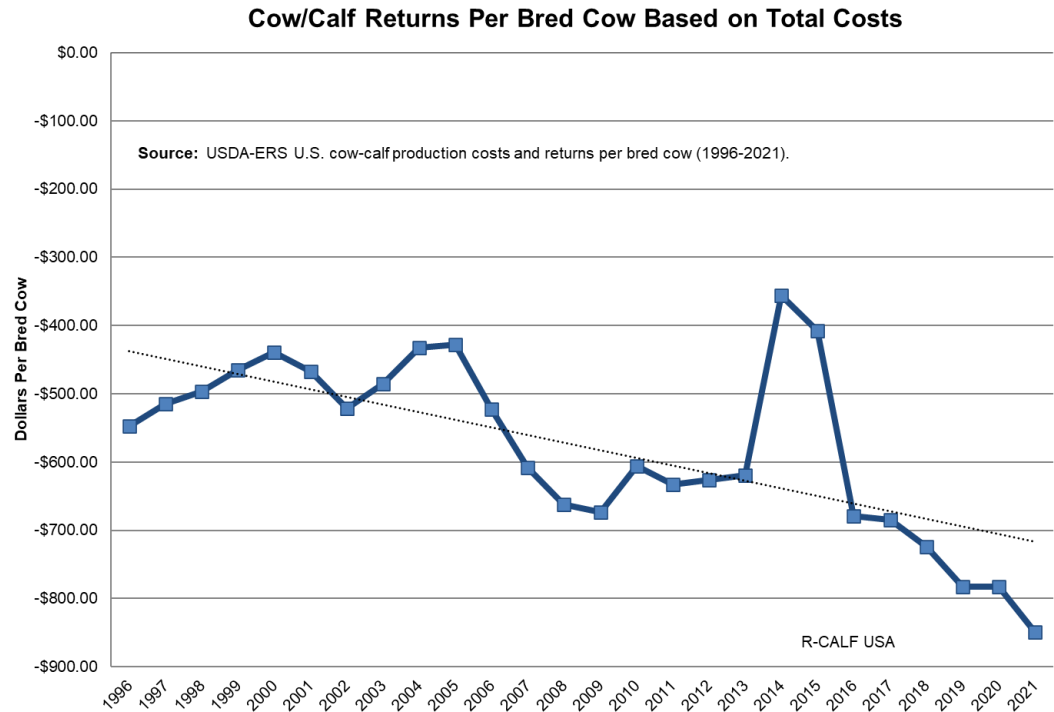


Chart 5

