

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

American Meat Institute, *et al.*

Plaintiffs,

v.

United States Department of Agriculture, *et al.*

Defendants.

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Civil Action No. 13-cv-1033 (KBJ)

DECLARATION OF WILMA TOPE

I, WILMA TOPE, declare as follows:

1. My husband and I have been in the ranching business for over 30 years. We are cow-calf producers on our ranches near Aladdin, Wyoming. We are members of the Powder River Basin Resource Council (PRBRC), which is an affiliate of the Western Organization of Resource Councils (WORC). WORC is a regional organization of grassroots community membership-based organizations with 10,000 members and 36 local chapters in seven states. Its mission is to advance the vision of a democratic, sustainable and just society through community action. WORC and its member groups have historically addressed issues of importance to a primarily rural constituency, including the impacts of agribusiness consolidation and international trade policy. WORC's interest in country-of-origin labeling is an outgrowth of its effort to reduce concentration in the domestic livestock industry.

2. I became a member WORC because I support the mission of the organization, particularly its aim at building economic communities that balance economic growth with the health of people and stewardship of their land, water, and air resources,

3. As members of PRBRC and WORC, we have supported federal law requiring country-of-origin labeling (COOL). We were encouraged when COOL went into effect on September 30, 2008, allowing U.S. consumers to know the country of origin of beef, lamb, pork, poultry, fish, fresh and frozen fruits and vegetables, and peanuts. Unfortunately, the meatpackers and retailers took advantage of a loophole in that rule to begin labeling beef from U.S. cattle as if it were a product of multiple countries. We were among 35,600 people who signed a petition circulated by WORC, demanding that the integrity of COOL be protected in the face of World Trade Organization scrutiny.

4. We believe that both consumers and producers like ourselves benefit from COOL. In an increasingly global market, we believe that the labeling of our beef, as well as other products, will increase demand for U.S. products, which in turn will lead to increased production, more jobs and economic development in our small towns and main streets, and our entire national economy.

5. We believe this because there is clear evidence that U.S. consumers are in favor of COOL. For example, the Research Division of the Federal Reserve Bank of St. Louis undertook a survey of consumers in Chicago and Denver in 2002 and published the results the following year. That survey showed that 73% of consumers would pay an 11% premium for steak born, raised and slaughtered in the United States, and a 24% premium for hamburger. The survey showed that the most common reasons given by these

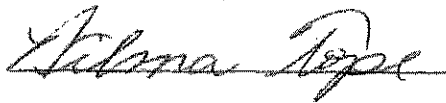
consumers were a preference for labels showing the source and origin of the product, a strong desire to support U.S. producers, and a belief that U.S. beef was of higher quality than imported products. More recent surveys have continued to show overwhelming consumer support for labels showing the origin of their food.

6. We support COOL because we believe that cattle producers like ourselves have a right to a fair price for their product. Under the rules that USDA implemented in 2009, the meatpacking industry can undermine competition – and reduce the price the producer receives – by mixing meat from cattle from other countries with U.S. beef. This product could then be labeled as having multiple countries of origin. This may increase profits for meatpackers, but it negatively affects the price received by U.S. producers like ourselves. The USDA's most recent 2013 rules would terminate this practice, however, and would prevent meatpacking companies from mixing product from multiple countries. We believe COOL will promote a more open and fair market that enables U.S. producers to get a fair return for their product.

7. As producers, we believe we have the right to have the country of origin displayed on meat we produce. We are proud of our product, and we have a long-held belief that a U. S. label stands for family tradition, quality, pride, and a safe and wholesome product. We believe that beef, as well as other fresh and frozen products sold in our grocery stores, should be labeled as to country of origin, just as other products are. Retaining the USDA's 2013 rules as law of the land will allow that to happen because it will allow consumers to truly know when products are born, raised, and slaughtered in the United States.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of August 2013.

A handwritten signature in cursive script, appearing to read "Wilma Tope", written in black ink.

Wilma Tope