

TIME TO END THE BAN ON CANADIAN CATTLE

The Bush Administration made the right decision in reopening the border to Canadian cattle, despite the objections raised by some U.S. cattlemen and lawmakers. Despite the recent discovery of two new cases of mad cow disease in Canada, the Administration should move forward with its regulation to restart trade in cattle with Canada.

After Canadian authorities confirmed a case of mad cow disease in Alberta in May 2003, the U.S. government closed the border to imports of Canadian cattle. Allowing the ban to remain in place for 19 months has harmed U.S. consumers, American jobs in meatpacking, and devastated Canada's cattle industry. (The current controversy is over the import of Canadian cattle, since "the United States has permitted imports from Canada of boneless beef from animals less than 30 months of age since mid-2003," according to USDA.)

On January 4, 2005, the U.S. Department of Agriculture (USDA) issued a final rule, to take effect March 7, 2005, which would allow the import of Canadian live cattle less than 30 months of age. (See APHIS web site in Suggested Further Reading below for a copy of the regulation.) However, the American Meat Institute (AMI) has filed suit in federal court, arguing that, given the scientific evidence and current safeguards, the continued ban on older cattle is "arbitrary and capricious." Simply put, there is no legitimate reason based on internationally accepted medical standards, according to AMI, to distinguish between cattle older and younger than 30 months for safety reasons.

SCIENCE-BASED APPROACH TO HEALTH RISKS

A science-based approach to health risks leads to the conclusion that Canadian cattle imports into the United States should resume. A U.S. government commissioned study by the Harvard Center for Risk Analysis concluded, "Our analysis finds that the U.S. is highly resistant to any introduction of BSE (mad cow disease) or a similar disease. BSE is extremely unlikely to become established in the U.S."

BSE (bovine spongiform encephalopathy or "mad cow disease") is a progressive neurological disorder of cattle. It is believed the disease is primarily spread when cattle are fed infected animal protein products or material from slaughtered cattle, as happened in the United Kingdom in the 1970s and early 1980s. Experts do not believe simply an infected cow coming into contact with other cows spreads the disease. Several key measures taken in recent years limit the ability of BSE to spread in the United States. Since 1997, the Food and Drug Administration has instituted a ban on feeding animal protein to cattle and other ruminants, which prevents the spread of possibly infectious cattle tissues. (Ruminants are defined as "any of various hoofed, even-toed, usually horned mammals . . . such as cattle, sheep, goats, deer . . . chewing a cud consisting of regurgitated, partially digested food.") In addition, since 1997, USDA has banned the

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import of live cattle and ruminant meat from Europe and bone meal from the United Kingdom since 1989. Brains and spinal chords from cattle are no longer allowed to enter the U.S./Canadian human or animal food supply, which significantly reduces the risk. The British journal *Science* recently reported on an experiment with mice suggesting that BSE could also appear in the liver, kidney, or pancreas if such organs contained a chronic infectious disease. However, experts say more research is needed to determine the application of such findings.

According to the National Center for Infectious Diseases (Center for Disease Control), “a substantial species barrier appears to protect humans from widespread illness . . . The risk to human health from BSE in the United States is extremely low.”

In 2003, one infected cow was found in Canada, another in the United States (which came from Canada), while in recent weeks two more cows were discovered in Canada. The first three cows were born prior to 1997 and the more stringent controls designed to prevent the spread of BSE. While the fourth beef cow was born shortly after the ban on feeding cattle animal protein, Canadian Food Inspection Agency officials believed leftover contaminated feed likely caused the infection. The rancher of the infected cow said he bought a nutritional supplement after the feed ban was in place that may have led to the infection.

To place these four known infections in context, compare that to the situation in the United Kingdom in the early 1980s, where estimates of BSE-infected cattle ranged from 180,000 to over 1 million, according to the National Center for Infectious Diseases.

While even critics of reopening trade in cattle with Canada concede that the risk of contracting the human equivalent of mad cow disease by eating beef is extremely remote, they do not explain just how remote. In the United Kingdom, where there were approximately 180,000 clinically detectable cases of mad cow, there has been around 1 human case per 1,000 detectable animal cases, and the number of new human cases is dropping each year. Joshua Cohen of the Harvard Center for Risk Analysis explains that if the same relationship holds here, our population of 300 million means that the presence of a single detectable case of mad cow implies a risk for each American of 1 in 300 billion. In any given year, it is about 100,000 times more likely to be killed by lightning.

In going as far as it did in reopening the border to younger Canadian cattle, USDA determined that Canada maintained “stringent import controls” from countries that do not have the same high standards on BSE control as the U.S. and Canada, that Canada conducts surveillance and monitoring for BSE that exceeds international guidelines, and it maintains an effective ban on feeding mammalian protein to cattle. In fact, it could be argued that the improved Canadian surveillance system and greater awareness of the issue led to the recent detection of infected cattle.

THE OPPOSITION TO LOWER PRICES

It's clear that U.S. consumers have paid higher prices on beef due to the import ban, at least 5 cents or more a pound according to an analysis published by USDA (in the March 8, 2004 proposed regulation). A number of U.S. meatpacking plants have been hurt by the Canadian cattle ban and been forced to idle or lay off workers. However, since lifting the Canadian import ban would lead to lower prices it has generated opposition from some U.S. cattlemen and cattlemen organizations. The Ranchers-Cattlemen Action Legal Fund (R-CALF) has sued USDA to block reopening U.S.-Canadian trade in cattle. In many ways, the opposition to lifting the ban is little different than other fights over trade, pitting consumers against protectionist domestic producers seeking higher prices.

One concern raised is that lifting the ban would result in major U.S. trading partners in Asia refusing to remove its own ban on imports of beef from the United States. However, there is no evidence that Asian countries have tied their import bans to U.S. actions with regard to Canadian cattle. In fact, effective January 10, 2005, the Philippines lifted restrictions that had prevented the U.S. export of boneless beef from animals less than 30 months of age to the Philippines.

As the *Wall Street Journal* editorial page reported on January 19, 2005, "Some lawmakers from beef-producing states are calling for an extension of the embargo on the grounds that lifting it will affect U.S. negotiations with Japan and Korea to reopen their border to American beef. But that argument . . . is a red herring. Industry sources familiar with the ongoing U.S.-Asia negotiations tell us that the discussion centers on the age requirements for testing cows, not whether the U.S. reopens its border to Canadian cattle."

A panel of international medical experts assembled by USDA to evaluate BSE policies urged the U.S. government to "demonstrate leadership in trade matters by adopting import/export policy in accordance with international standards, and thus encourage the discontinuation of irrational trade barriers when countries identify their first case of BSE." (See Suggested Further Reading below.)

If significantly extended, the current import ban could lead Canada to dramatically expand its domestic meatpacking capacity, rather than continue the traditional practice of exporting more than one million cattle a year to the United States for processing. This would have a two-fold effect: It would remove a significant source of cattle for U.S. meatpackers and it would set up Canada as a competitor to the United States in meat exports.

In September 2004, federal and provincial officials in Canada announced a \$720 million relief package for Canadian cattlemen affected by the U.S. ban. In an April 16, 2004 letter

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to Senator Tom Daschle, Canadian Ambassador to the United States Michael Kergin wrote, “[T]he United States and Canada are considered to share similar risk profiles for BSE. Thus, your suggestion that Canada not be considered a minimal risk country implies the same for the United States.”

CONCLUSION

A key point has been lost in this discussion: There is no evidence that any BSE-infected beef has entered the U.S. or Canadian food supply. The Bush Administration can do the right thing by, at minimum, allowing the final rule reopening the border to take effect in March. Failure to follow through on the final regulation will harm consumers and undermine the credibility of the United States on international trade. If America wants other countries to play by the rules, then we have to practice what we preach.

SUGGESTED FURTHER READING

APHIS

<http://www.aphis.usda.gov/lpa/issues/bse/bse.html>

Center for Disease Control

<http://www.cdc.gov/ncidod/diseases/cjd/cjd.htm>

Harvard Center for Risk Analysis

<http://www.hcra.harvard.edu/foodresearch.html#spongiform>

International Medical Experts Report to Secretary of Agriculture

http://www.aphis.usda.gov/lpa/issues/bse/US_BSE_Report.pdf

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