

BSE / Ruminant Feed Restrictions

In 1997, the Food and Drug Administration (FDA) adopted a regulation, 21 CFR 589.2000, prohibiting the feeding of any mammalian/ruminant derived protein (meat & bone meal) to cattle and other ruminants. This regulation resulted from efforts to control any possible introduction or spread of Bovine Spongiform Encephalopathy (BSE) or, as the media often refers to it, "Mad Cow Disease" into the domestic cattle herd of the United States.

Packers Require Certification to Buy Cattle

Because of recent worldwide media attention on the BSE issue and a desire to reassure consumers that all possible steps are being taken to continue to keep BSE out of the United States, a number of beef packers/processors and retail operations (IBP, ConAgra, Excel and the McDonalds Corporation, among others) have established certification programs for their suppliers to insure that they **are not** receiving cattle that have been fed ruminant derived protein materials.

Participating packers in the certification program have made it clear that they will not purchase any cattle from producers who have not signed a statement certifying that none of their cattle or other ruminant animals have been fed any feed containing protein derived from mammalian/ruminant tissues and/or that none of their livestock have illegal levels of drug residues.

Market/Dealer Compliance

While complying with this new certification program will be burdensome on us all, it appears that the marketing sector can get and keep on file the attached "Owner's Certificate" establishing a seller's compliance with the FDA feed ban and drug residue requirements.

Because a number of packers are also requesting certification that the cattle do not have illegal levels of drug residues, the suggested "Owner's Certificate," encompasses both FDA's feed ban and drug residue rules. {Please note: the language contained in the enclosed "Owner's Certificates" approved by LMA legal counsel, has been accepted by all the major livestock industry groups including the American Meat Institute and National Meat Association (organizations representing most packers). Therefore, it should be acceptable to most any packer requiring producer certification thus eliminating the need for multiple certification statements.}

Owner Certificates

There are two forms of the "Owner's Certificate" enclosed. The shorter "Owner's Certificate" would be used as an attachment or printed on the markets check-in or bill-in sheets/cards and signed by the owners as they check in their cattle on sale day. (Please note: truckers or other persons signing the certification statement for the owner places the market operator and those persons at risk for civil and criminal liability. Thus, they should get a signed certificate from the owner for their own records or to present to the market at check-in.) The longer "Owner's Certificate--Continuing," would be signed by the cattle producer/seller and kept on file at the market for future reference as the customers' cattle come through the market facility over an extended period of time.

Participating packers and other buyers are expected to ask the market operator to certify that the sellers/owners of the livestock being purchased by them have signed a certification statement. LMA is providing the market with a "Market/Dealer's Certificate" that auction markets and dealers can sign and submit to their buyers establishing that they have obtained the necessary certificates from their sellers/owners and have them on file.

LMA's Recommended Actions for Livestock Markets

- ◆ Initiate a certification program with sellers and buyers by April 1. (Although a number of packers have already sent letters to their suppliers requesting this certification by early March, all the major livestock organizations, including the packers, have agreed to April 1 as the implementation date.)
- ◆ Maintain a record of all the certifications that you receive.
- ◆ Permit the FDA, upon request, to review all records related to enforcement of the FDA ban on feeding of mammalian/ruminant derived protein materials to cattle and animal drug use (Please Note: some packers may ask to review your certification records to verify that their certification program and yours is working. Since this is not a regulatory program, it is completely within your discretion as to how you respond to any such request from the packers.)

Safety of the food supply is of paramount importance to us all. While this latest food safety effort will involve considerable additional work and inconvenience to the markets and dealers as well as cattle producers, we must all do our part to assure high consumer confidence in the meat supply.

You may find additional information on the Livestock Markets Association (LMA) web site at www.LMAWEB.com.