United States Senate
WASHINGTON, DC 20510

February 13, 2012

The Honorable Jeffrey Zients
Acting Director
Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503

Dr. Gregory Parham
Administrator
Animal Plant Health and Inspection Services
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Acting Director Zients and Administrator Parham:

On behalf of America's beef producers, we urge you to move forward and publish the comprehensive rule for BSE (bovine spongiform encephalopathy). Non-tariff trade barriers limit our ability to sell U.S. beef to consumers in other countries. Beef producers need our trade negotiators to significantly reduce or eliminate non-tariff trade barriers by requiring our trading partners to make science-based decisions regarding U.S. beef. By the same logic, it is also important for our government to take the necessary steps to properly address risks related to BSE by adopting a comprehensive rule. For the benefit of U.S. beef producers, APHIS and OMB must issue a comprehensive BSE rule as soon as possible.

A prime example of where non-science based standards have significantly limited our ability to sell U.S. beef is in the country of Mexico. Since 2004, Mexico has not allowed the importation of U.S. cattle that are over 30 months of age. Mexico has traditionally been one of the top export markets for U.S. beef; however, due to the 30 month age restriction, it is estimated U.S. beef producers are losing $100 million annually.

The World Organization for Animal Health (OIE) has formally classified the United States and Mexico as controlled risk countries. According to the OIE's guidelines on BSE, this common classification reflects the fact that both countries have effective BSE risk mitigation measures in place. Moreover, the OIE guidelines establish that beef and beef products from cattle of all ages in either country can be safely traded and consumed once specified risk materials have been properly removed.

The failure of Mexico to abide by the international guidelines on BSE represents a lost opportunity on at least two levels. First, it unduly restricts U.S. beef exports and results in ongoing financial losses for U.S. beef producers. Beyond its immediate commercial impact,

Mexico's treatment of U.S. beef also has implications on our ability to negotiate beef market access agreements with other nations.

By having a comprehensive BSE rule in place, the U.S. will show leadership on the global scale and will give USTR and USDA a stronger position to press other nations to follow the OIE's guidelines and adopt science-based BSE policies. As a result, when nations base their decisions on sound science, we are confident more markets will be expanded or opened to U.S. beef.

In 2004, USDA announced its plans for developing a comprehensive BSE rule, a comprehensive rule the U.S. beef industry has requested for many years. Earlier this year, APHIS submitted a proposed comprehensive BSE rule to OMB, but it has yet to be printed in the "Federal Register" asking for public comment. During a June 23, 2011 hearing on livestock before the Senate Committee on Agriculture, Nutrition, and Forestry, Administrator Parham stated he expected the comprehensive BSE rule to be released sometime in FY2012.

We appreciate Administrator Parham's commitment; however, there is a lot of time left in fiscal year 2012. We urge you to release the rule as soon as possible. The sooner the rule is allowed to move through the required rule-making process, the sooner we will be able to give our international negotiators this important tool for pushing our trading partners to adopt similar science-based approaches.

We appreciate your attention to this important matter.

Sincerely,

Chuck Grassley

E. Benjamin Nelson

Mike Johanns

John Barrasso

Herb Conrad

Saxby Chambliss

Roy Blunt

Mike Enzi

Claire McCaskill

Mike Crapo

Jerry Moran

John Boozman

Jim E Risch

Rob Portman

John Thune

Maria Cantwell

John Cornyn

Pat Roberts

Tom Harkin

Richard G. Lugar

Debbie Stabenow

Mark Pryor

Kay Bailey Hutchison

Mark Udall

Patty Murray

Amy Klobuchar