

February 16, 2005

NORTH DAKOTA, MONTANA URGE USDA TO KEEP BORDER CLOSED TO CANADIAN CATTLE

BISMARCK – Citing risks to public health and the economy, North Dakota Attorney General Wayne Stenehjem and Montana Attorney General Mike McGrath today filed a brief supporting an injunction to keep the U.S. border closed to Canadian cattle. Five other attorneys general also joined the brief.

The friend-of-the-court brief was submitted in U.S. District Court in Billings, in support of a request for an injunction by the Ranchers Cattlemen Action Legal Fund United Stockgrowers of America (R-CALF USA). R-CALF, a non-profit association of cattle producers, sued the U. S. Department of Agriculture in January, and asked for the injunction in early February. The court has scheduled a February 28th hearing on R-CALF's motion.

In late December, the USDA released a final rule recognizing Canada cattle as “presenting minimal risk” of introducing bovine spongiform encephalitis (BSE), or “mad cow disease,” into the U.S. The USDA rule allowing the importation of meat and live cattle from Canada is scheduled to take effect March 7.

“Our position is that the USDA’s plan should be put on hold until the court considers the merits of the pending case,” Stenehjem said. “The potential economic consequences to North Dakota producers could be catastrophic. Public health is also at risk. Delaying the USDA’s decision and allowing full consideration by the court is the right thing to do.”

In early January, two Canadian cows were found to have BSE. This brought to four the number of BSE cases traceable to Canadian cattle that have been confirmed in the past few years.

The Montana-North Dakota brief states that the recent “BSE cases require reassessment of USDA analyses presuming a ‘very low’ presence of BSE and conclusions about the ‘very low’ risks if the border is reopened.”

Attorneys general from Connecticut, Nevada, New Mexico, South Dakota, and West Virginia joined the Montana-North Dakota brief.

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