

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 3:30 p.m. on March 10, 1999, in Room 423-S of the Capitol.

All members were present except: Representative Feuerborn

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Letter from Attorney General Carla Stovall
Mary Jane Stattelman, Assistant Secretary, Kansas Department of Agriculture
Stephen Paige, Director, Bureau of Consumer Health, Kansas Dept. of Health and Environment
Senator Robert Tyson
Senator Edward Pugh
Tim Benton, Garnett, Kansas
Catherine McClay, Ottawa, Kansas
Cynthia Smith, Pleasanton, Kansas
Linda Hessman, member, Kansas Farmers Union Board of Directors (written only)
Mike Callicrate, The Cattleman's Legal Fund (written only)
Roy Dixon, Thomas County, Kansas
Malcom Moore, Kansas Cattlemen's Association
Leslie Kaufman, Assistant Director, Public Affairs Division, Kansas Farm Bureau
Mike Beam, Executive Secretary, Cow-Calf/Stocker Division, Kansas Livestock Association

Others attending: See attached list

Discussion and Action on SCR 1609 - Concurrent Resolution by Agriculture urging Congress to direct EPA to implement food quality protection act in a reasonable manner.

Representative Dahl moved to adopt SCR 1609, and because the concurrent resolution is of a noncontroversial nature, be placed on the consent calendar. Seconded by Representative Johnson, the motion carried.

Hearing on SB 292 - Imported meat labeling act enforcement by attorney general.

Chairperson Flower opened the hearing on **SB 292** and asked staff to brief the committee on the bill. Raney Gilliland explained that this bill would transfer the authority with respect to the enforcement of labeling as to country of origin for meat, poultry, eggs, and butter from the Kansas Department of Health and Environment to the Kansas Attorney General. The Attorney General would have the authority to apply to the district court for a temporary or permanent injunction, to institute appropriate proceedings in the proper court, to prosecute in the manner provided by law, and to adopt rules and regulations as the Attorney General deems appropriate to enforce the provision of law relating to proper labeling of these products.

Attorney General Carla Stovall submitted a letter expressing her concerns regarding **SB 292**. She included a copy of Attorney General Vern Miller's 1973 Opinion that this law conflicted with the Commerce Clause of the US Constitution and was therefore void and unenforceable. Attorney General Stovall does not believe this legislation would survive a court challenge. She stated that federal legislation may be constitutionally permissible and enforceable if enacted by Congress to apply nationwide. She has asked the Kansas Congressional Delegation to consider such federal legislation. Nancy Lindberg and Guen Easley from the Attorney General's office were in attendance to answer committee questions. (Attachment 1)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 3:30 p.m. on March 10, 1999.

Mary Jane Stattelman, Assistant Secretary, Kansas Department of Agriculture, discussed **SB 292** and the difficulty of enforcing country of origin labeling of meat products. She explained that imported meat products entering the United States must bear the country of origin labeling; however, after the products have been inspected and passed by FSIS import inspectors, the products are treated the same as domestic products and no country of origin label is required. She stated that to effectively enforce K.S.A. 65-6a47 it would be necessary for the federal government to require country of origin labeling. ([Attachment 2](#))

Stephen Paige, Director, Bureau of Consumer Health, Kansas Department of Health and Environment, addressed the committee concerning **SB 292** and said the Department had ceased writing orders for non-compliance of K.S.A. 65-6a47 after the 1973 Attorney General's Opinion. He reported that a review of the Department's files indicate no complaints or correspondence regarding this law since 1981. ([Attachment 3](#))

Senator Robert Tyson testified in support of **SB 292** to transfer the enforcement of the country of origin labeling laws to the Attorney General. He said we should not be timid in protecting the health of Kansas citizens. He emphasized that we are not changing the law, just changing who enforces it. ([Attachment 4](#))

Senator Edward Pugh appeared in support of **SB 292**. He said that by enforcing the country of origin labeling of meat products, two benefits will be achieved: 1) consumers will know where their products were produced, and 2) Kansas products will not have to compete with foreign foods that have their origin hidden from the consumer. ([Attachment 5](#))

Tim Benton, a cattle rancher from Garnett, testified in support of **SB 292**. As a beef cattle seedstock breeder, he thinks it is only fair to the Kansas consumer that we identify the high quality product we produce here in this country, as well as the beef produced in foreign countries. ([Attachment 6](#))

Catherine McClay, Ottawa, appeared in support of **SB 292**. She stated that as a consumer she is concerned about the cleanliness of the food she purchases. She does not have the same confidence in meat produced and processed in many foreign countries as she does meat that is produced and processed in the United States. She also feels we should support our farmers. ([Attachment 7](#))

Cynthia Smith, Pleasanton, testified in support of **SB 292** expressing her concern for the safety of our food supply. She stated that there are thousands of deaths each year from contaminated foods; if the problem cannot be traced to its source, we cannot fix the problem. She asked that the law be enforced and penalties levied for noncompliance. ([Attachment 8](#))

Linda Hessman, Dodge City, provided written testimony, read by Roy Dixon, in support **SB 292**. She stated that the debate concerning origin of labeling crosses over into several areas affecting consumers and rural communities: food safety, market concentration, trade policy, viability of our rural communities, American farmers and cattle producers. ([Attachment 9](#))

Mike Callicrate, Cattleman's Legal Fund, submitted written testimony he had presented to U.S. Representative Helen Chenoweth, at the July 9, 1998, Boise, Idaho, Hearing on Meat Labeling. He included a letter and registration form from Don Walter concerning the *Demand American Meat Now* Conference March 20, 1999, in Dallas/Fort Worth. ([Attachment 10](#))

Roy Dixon from Thomas County testified in support of **SB 292**. He said that consumers need the assurance that all imported meats are subject to the same inspection standards prescribed for domestically produced beef. Consumers should know the meats they purchase are clean, free from bacterial contamination, free from virulent contamination, and free from drug residue. He felt point of origin labeling was also important for domestically produced meat so that if a problem arose, the source could be identified. ([Attachment 11](#))

Malcom Moore, Kansas Cattlemen's Association, appeared in support of **SB 292**. He said this bill would benefit the cattleman as well as the consumer. He noted that when meats from different countries are blended together, it is impossible to know where a contaminate originated. ([Attachment 12](#))

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 3:30 p.m. on March 10, 1999.

Leslie Kaufman, Assistant Director, Public Affairs Division, Kansas Farm Bureau, testified in support of **SB 292**. She told the committee that AFBF policy supports the proper labeling of feeds, foods, fibers, and other agricultural products. Imported products should be labeled at the distribution point and retail level as to the country of origin. Domestic food products, processed or fresh, blended with imported food products should be labeled to show all countries of origin in descending order at the final point of sale. She said **SB 292** is consistent with these principles. (Attachment 13)

Ivan Wyatt, President, Kansas Farmers Union, told the committee that country of origin labeling was a hot issue at their national meeting. He said that passage of **SB 292** would send a message to Washington that Kansas is serious about import labeling requirements.

Mike Beam, Executive Secretary, Cow-Calf/Stocker Division, Kansas Livestock Association, informed the committee that their Board of Directors had chosen not to adopt a policy position on **SB 292**. He said they did, however, encourage him to appear before the committee to provide an update on findings of their national affiliate, the National Cattlemen's Beef Association, and pending federal import labeling legislation. He reported that last fall Congress instructed USDA to research this issue and determine the costs of implementing a more stringent labeling law and who would bear those costs. USDA's report is due out in April. Mr. Beam said the push for new federal import labeling laws is gaining momentum and included a summary of bills introduced thus far in the 106th Congress. He also provided two charts that show primary beef imports and exports by country. (Attachment 14)

The meeting adjourned at 5:22 p.m. The next meeting is scheduled for March 15, 1999.

HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: March 10, 1999

NAME	REPRESENTING
Ed Pugh	1st Senate District
Malcolm MOORE	Kansas Cattlemen's Ass
Leslie Kaufman	Ks Farm Bureau
Ynthia SMITH	CONSUMER
Mike Beam	Ks Livestock Assn.
Nancy Lindberg	Ag Office
Gwen Farley	" "
DONALD SNOODGRASS	Ks FOOD DEALERS ASSOC +
Laverne Cole	Sen. Tyson - Intern
Long Wareham	Ks Grain Feed/Fertilizer & Chemical Assn.
Stephen M. Page	KDHE
Robert Tyson	MSRF
(Katherine A. McClary (Cathy))	Sen. Tyson
Charles L. Cole	Sen. Tyson
Tim Benton	
Mary Jane Stattelman	KDA
Joe. van	Highlands Livestock Kansas Cattlemen's
Frank for Linda Henson	Kansas Farmer Union
John W. Wyatt	Ks Farmers Union



State of Kansas

Office of the Attorney General

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CARLA J. STOVALL
ATTORNEY GENERAL

March 10, 1999

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The Honorable Joann Flower
State Representative, 47th District
Chairman, House Agriculture Committee
State Capitol, Room 426-S
Topeka, Kansas 66612

Dear Representative Flower:

As you know, I have expressed concerns about 1999 Senate Bill No. 292. As worthwhile as it is, it would attempt to revive a statute that has been found unconstitutional because of its effect on interstate commerce. Legislation such as this may only be constitutionally permissible and enforceable if enacted by Congress to apply nationwide. I have asked the Kansas Congressional Delegation to consider such federal legislation.

Kansas Attorney General Vern Miller opined in 1973 that K.S.A. 65-6a47 through 65-6a52 conflict with the Commerce Clause of the United States Constitution and are therefore void and unenforceable. Attorney General Opinion No. 73-3 is attached for your perusal. At my direction, my staff has researched the issue and found that the standard for finding a violation of the Commerce Clause has not changed since the legislation's inception. Thus, I do not believe that the legislation would survive a court challenge on this basis.

At my instruction my staff continues their research to see if there is a way to fix the constitutional problems of this legislation. It is evident from our research that in order to pass constitutional muster, the meat labeling requirement must be founded on a need to protect Kansans' safety and welfare. Thus a state may adopt measures for the health and safety of its people and incidentally involve interstate commerce, but there must be a showing that the inspection and labeling are related to public safety. For example, a country of origin labeling requirement does not meet the public safety standard unless there is a showing that all meat from a foreign country or origin poses a health hazard. This showing is clearly not attainable. The standard which requires a relationship between the inspection or labeling and public safety must be met directly as evidenced by a court case involving a Florida statute requiring inspection, grading and tagging of poultry products sold within

*House Agriculture Committee
March 10, 1999
Attachment 1*

the state which met constitutional muster.¹ However, this case did not involve a country of origin labeling requirement, but rather a grade label based on quality. A statute aimed at protection of the public must be concerned with authorizing inspection and labeling directly related to a public health concern that can be shown to exist as evidenced in *United Egg Producers v. Department of Agriculture*, 77 F. 3d 567 (1st Cir., 1996) which involves the labeling of eggs with the state of origin arguably for the purpose of the control of salmonella poisoning. The court found that the labeling requirement violated the Commerce Clause because authorities were unable to offer evidence proving that the regulation was justified by any factor unrelated to economic protectionism.

Even if the legislation is not challenged, the State Department of Agriculture informs me that implementation of its requirements would be problematic. The Department of Agriculture advises that enforcement of a state law requiring naming the country of origin on the label of all products whether frozen, canned or cured would be an overwhelming task. When a product enters the United States from a foreign country, the federal government requires that it must be labeled as such. However once the product passes through the United States Department of Agriculture (U.S.D.A.) importation facility, it is treated as any domestic product under U.S.D.A. requirements and loses any identity as foreign in origin. The foreign product may be further processed in an official federal establishment which also is not required to identify the country of origin. Foreign meat products are a common ingredient in many foods such as bologna, T.V. dinners, burritos, meatballs, etc. To enforce the labeling requirement on these products would involve tracing the product back through the original port of entry, because, as indicated, once foreign meat passes the port of inspection, it loses all national identity.

A possible alternative, although one with significant burdens to smaller processors, would be to require labeling of meat that is still in its original packaging and that is distributed and processed by Kansas processors. Personnel with the Kansas Department of Health and Environment (KDHE) or the Kansas Department of Agriculture could identify the meat products that are in the original package and inform management that Kansas law requires the country of origin be named on the label. The inspectors of KDHE or Department of Agriculture could administer this requirement, turning over suspected violations to my office for prosecution. While this requirement would impose a greater burden on our smaller meat processors, as indicated, it would be a less onerous requirement than that imposed by the existing legislation and would comport with the U.S.D.A., Division of the Food Safety Inspection Service (FSIS) policy. Country of Origin Labeling, Directive 30-94 dated 7/20/94. Another possible alternative would be to require meat products that are produced and processed in Kansas to be labeled as Kansas products providing consumers with the ability to choose to purchase Kansas products.

¹In *Canton Poultry, Inc. v. Conner*, 278 F. Supp. 822 (1968) the court held that a state statute requiring inspection, grading and tagging of poultry products sold within the state did not violate the commerce clause because there was a showing that 38,000 pounds of federally inspected poultry shipped into Florida was subsequently condemned by the State.

Representative Joann Flower

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Otherwise, in order for country of origin labeling legislation such as K.S.A. 65-6a47 *et seq.* to clearly survive a Commerce Clause challenge, it will have to be passed at the federal level such as was done with legislation regarding labeling of content of clothing and with automobiles. Legislation in California regarding milk standards is a good example. In *Shamrock Farms Co. v. Veneman*, 146 F. 3d 1177 (9th Cir., 1998), the commerce clause was not violated by California's regulations which govern consumer milk standards, pricing and pooling because they were exempted by Congressional action.

Currently the FSIS does not require that the label on a foreign meat product contain a country of origin statement. As mentioned previously, I have written our Kansas Congressional Delegation requesting that they consider supporting federal legislation which requires such labeling.

Very truly yours,

A handwritten signature in black ink that reads "Carla Stovall". The signature is written in a cursive, flowing style.

Carla J. Stovall

Attorney General of Kansas

CJS:GE:jm

Enclosure

Public Health

Chapter 65

OPINION 73-3, January 4, 1973, to Robert M. Corbett, Attorney, Department of Health

Re: SAME—Labeling Imported Meats at Retail Level

You inquire whether K. S. A. 1971 Supp. 65-6a47 through 65-6a52, requiring the labeling as such of certain imported meats, poultry and dairy products, is enforceable in light of the Commerce Clause of the United States Constitution. We conclude that it conflicts with the Commerce Clause and is void and unenforceable.

Numerous states in the last several years have passed laws requiring the labeling of imported meats and other products. Four cases have been filed in federal courts challenging the constitutionality of four such laws, and in each case the laws have been held in violation of the Commerce Clause and void. One of the four was appealed to the Supreme Court where the decision was summarily affirmed. *Armour and Company v. State of Nebraska*, 270 F. Supp. 941 (1967); *Tupman Thurlow Company v. Moss*, 252 F. Supp. 641 (1966); *International Packers v. Hughes*, 271 F. Supp. 430 (1967); *Ness Produce Co. v. Short*, 263 F. Supp. 586 (1966), *aff'd* 385 U. S. 537, 87 S. Ct. 742, 17 L. Ed. 2d 591 (1967).

We find no substantial ground upon which to distinguish the Kansas Law from those found constitutionally deficient.

While the Kansas law requires labeling as "imported" only those meats which are "either canned, frozen, or cured" and "the products of any country foreign to the United States," the act clearly requires the labeling of such products as bologna, wieners and sausage, if they contain solely imported meat, or a combination of domestic and imported meat. Discussing the corresponding provision of the Tennessee law, the court point out:

"The Labeling Act would require such products to be labeled to show the fact of co-mingling and the country in which the foreign meat had its origin. It would be necessary for Tennessee handlers of plaintiff's meat or meat products to keep track of or trace the origin of such meat, purchased either directly or through wholesalers or manufacturers, in order that the ultimate product sold to consumers in the State of Tennessee could be identified and labeled with the country of origin, or labeled in such way as to indicate that foreign and domestic meats both had been used. That these requirements of labeling are exceedingly burdensome is self-evident. Indeed, it is reasonable to infer that in comingling domestic and foreign meats, compliance with the act would be a practical impossibility. Yet these onerous burdens apply

under the Act only to foreign meat and to products in which foreign meat is used as an ingredient. Meats produced anywhere within the United States are exempt, with the result that the discriminatory burden on interstate and foreign commerce is unmistakably clear." *Tupman Thurlow Company*, supra, 645-646.

In *International Packers* the court pointed out that a law burdening or restricting interstate commerce was free from conflict with the Commerce Clause only if it "advance[s] the state's] inherent police power to protect the life, liberty, health or property of its citizens" and even then only if it does not "unreasonably burden interstate commerce when evaluated in terms of the local or state interests it was designed to advance." (*supra*, p. 432) Citing authority, the court in *Ness* stated flatly, "We hold that a State exceeds the limits of the police power when it acts to insulate its citizens from outside competition." (*supra*, p. 589) Despite the objection of the defendants in each case, the courts found protection of local livestock interests from foreign competition the dominant purpose of the acts. Although we are without the benefit of records elaborating the legislative history of the Kansas act, it may be fairly presumed that such was the object of its enactment.

Nevertheless, should it be argued that the act's protection of the consumer from deceit, surely a legitimate exercise of the state's inherent police power, is sufficient to vindicate it, the courts have uniformly found otherwise. No attempt was made in any of the four cases to show that foreign meats, inspected as they are by the federal government, are in any way qualitatively inferior to or different from domestic meat. Indeed, foreign and domestic meats are chemically indistinguishable. The "deception" alleged was that the consumer may believe he is purchasing domestic meats when such may not be wholly the case.

In any event, the court in *Armour and Company* noted that "what the labeling requirements were intended to accomplish was not merely to give the housewife information that she was buying in part imported meat and to allow her to make a choice on that simple basis, but [the labeling requirements, including the size of the lettering] would seem to be clearly designed to have the capacity to make a housewife feel that the product was something to be shunned, as a matter either of stimulated reaction against it from its labeling, or uncertainty as to what might be the implication thereof as to its food significance and purchase." (*supra*, 945-946)

Therefore, the act, failing as have acts of other states to have a redeeming object of consumer protection, and imposing a sub-

stantial burden on interstate commerce, runs afoul of the Commerce Clause of the United States Constitution and is in our opinion unconstitutional and unenforceable.

JRM

OPINION 73-14, January 11, 1973, to Robert M. Corbett, Attorney, Department of Health

Re: SAME—County Health Programs, Funds for

K. S. A. 65-204 provides in pertinent part thus:

"The board of county commissioners of any county of the state may levy a tax upon all taxable tangible property in such county, not in excess of one-half ($\frac{1}{2}$) mill on the dollar of assessed valuation of such property, and all the proceeds thereof shall be placed into a separate fund designated as 'the county health fund,' which fund is hereby created, and shall be used only to defray the cost of:

(1) For the assisting in the carrying out of the health laws, rules and regulations of the state within such county;

(2) paying the salary of the county health officer;

(3) the employment of additional personnel to assist the county health officer and other health authorities within such counties. . . . *Provided further, That the provisions of this act shall not abrogate or amend any other existing health law, or laws incidental thereto.*" [Emphasis supplied.]

You request my opinion whether counties may lawfully finance county public health programs from the general fund, or whether the levy authorized by the foregoing provision must be relied upon as the exclusive source of funds for such programs.

Counties have long been authorized to contract "for the protection and promotion of the public health and welfare." K. S. A. 19-212 In 1885, the Legislature constituted the county commissioners of the several counties the local board of health for their respective jurisdictions, and provided for election of a county health officer. Ch. 129, § 7, L. 1885. In 1929, the levy in question was authorized. Ch. 289, L. 1929. Nothing in the language of this enactment suggests that the levy was intended to be the sole and exclusive source of public funds for public health programs conducted by the counties. Prior to its enactment, and the underscored language clearly implies that the levy thereby authorized was intended to supplement, not supplant, then-existing authority for the conduct of county health programs, and the financing thereof.

As stated in *State ex rel. Smith v. Board of County Comm'rs of Thomas County*, 122 Kan. 850 (1927),

county government are met Incidental expenses pertaining thereto are likewise properly paid out of this fund. . . ."

Certainly, the conduct of public health programs is an ordinary and indeed necessary incident of county government, the expense of which is properly borne by the general fund. If, however, a county should require additional funds for its health programs, the levy authorized by K. S. A. 65-204 may be imposed, the proceeds thereof to be expended for the purposes recited in that provision. Moneys from the general revenue fund which are devoted to public health purposes are not restricted to the objects cited in K. S. A. 65-204, and may be expended for any program falling within the authority of the county in the interest of public health.

JRM

OPINION 73-20, January 15, 1973, to Phillip L. Harris, City Attorney, Junction City

Re: SAME—Massage Parlors

You advise that the City of Junction City is considering the adoption of an ordinance licensing and regulating places of business which are held out to the public as massage parlors. You inquire whether K. S. A. 65-2901 *et seq.*, applies to such establishments and the operators thereof, and whether the state has preempted regulation in this field so as to prohibit municipal licensing and regulation of such establishments.

Art. 29, ch. 65, K. S. A. provides the qualifications, examination and licensing of physical therapists. K. S. A. 65-2901 (1) defines "physical therapy" as follows:

"As used in this act, the term 'physical therapy' means the *treatment of disability, injury, disease or other conditions of health and rehabilitation related thereto* by the use of the physical, chemical and other properties of cold, heat, electricity, exercise, *massage*, radiant energy, including ultraviolet, visible and infrared rays, ultrasound, water and apparatus and equipment used in the application of the foregoing or related thereto." [Emphasis supplied.]

A "physical therapist" is one "who applies physical therapy as defined" in the act, which further prescribes that

"[h]e shall practice physical therapy upon the prescription, and under the direct supervision of a physician licensed and registered in this state to practice medicine and surgery and whose license is in good standing."

The practice of physical therapy which is regulated by the act includes use for therapeutic purposes of the device, instrument

1-5

STATE OF KANSAS

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KANSAS DEPARTMENT OF AGRICULTURE

TESTIMONY
TO THE

HOUSE AGRICULTURE COMMITTEE

SENATE BILL 292

BY

Mary Jane Stattelman
Kansas Department of Agriculture
March 10, 1999

Good morning Chairman Flower and members of the committee. Thank you for giving me this opportunity to discuss Senate Bill 292 with you.

In reviewing Senate Bill 292 dealing with the enforcement of K.S.A 65-6a47, the following items should be considered.

1. Imported product entering into the United States bears the country of origin labeling on the immediate container. After entry into the United States, imported product is treated the same as domestic product (Federal Policy). As such, imported products may enter an USDA-inspected establishment for further processing.
2. After the product has been reinspected and passed by FSIS import inspectors and then removed from its original immediate container for further processing, FSIS policy does not require a country of origin statement.
3. When an imported product has been further processed in an official establishment, labeling requirements are the same as for a domestic product, addition of a country-of-origin statement is not required by USDA-FSIS.
4. In order to effectively execute K.S.A. 65-6a47 it would be necessary for the Federal government to require country of origin labeling. Unless members of the Attorney General's office monitored the country of origin on every box shipped into the state, enforcement of the law would be impractical, and very likely impossible.
5. There have been other incidences of states trying to add requirements that are more stringent than USDA's on imported products in the past. California for instance tried to add restrictions on

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the labeling of “fresh poultry” that were more stringent than USDA’s. The additional requirements were not allowed.

6. The basic purpose for K.S.A. 65-6a47 is sound, but unless there is a nationwide policy the effects of enforcement will be small.

7. There is movement on the national level to require country of origin labeling. If there is a federal policy requiring country of origin labeling than it might become practical and possible to enforce the law in Kansas.

I would be glad to stand for any questions that you may have regarding this bill.

Testimony presented to
House Agriculture Committee

March 10, 1999

by

Stephen N. Paige
Director, Bureau of Consumer Health
Kansas Department of Health and Environment

Senate Bill 292

K.S.A 65-6a47 was passed in 1970 to require country of origin labeling of certain food products. Authority for enforcement of that law was given to the Board of Health and subsequently to the Secretary, Department of Health and Environment. In 1970, the department began monitoring for compliance with the law during routine inspections of food establishments. Orders for noncompliance were written by the food and drug inspectors. Passage of SB 292 will transfer the authority for enforcement of the country of origin labeling requirement from the Kansas Department of Health and Environment to the Attorney General.

In Opinion 73-3, the Attorney General concluded the law to be in conflict with the United States Constitution and was void and unenforceable. Following the Attorney General's opinion, the department ceased writing orders for violations of this law. A review of the department's files indicates no complaints or correspondence regarding this law since 1981.

In addition to the Kansas law, 19 CFR Part 134, with few exceptions, requires every article of foreign origin imported into the United States to be marked as to the country of origin. This federal mandate is enforced by the United States Customs Service.

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March 10, 1999
Attachment 3*

ROBERT TYSON

SENATOR, TWELFTH DISTRICT

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KANSAS SENATE

Testimony on SB 292

House Committee on Agriculture

March 10, 1999

COUNTIES

ANDERSON, BOURBON,
FRANKLIN, LINN & MIAMI

COMMITTEE ASSIGNMENTS

MEMBER: AGRICULTURE
ENERGY AND NATURAL RESOURCES
TRANSPORTATION AND TOURISM
JOINT COMMITTEE ON PENSIONS,
INVESTMENTS & BENEFITS

Chairperson Flower and members of the committee. I appreciate the opportunity to come here and speak in favor of Senate Bill 292. This bill will equally benefit agriculture and the Kansas consumer. SB 292 will require the Attorney General to enforce a law that has been on the books for over 20 years and not enforced. The law requires foreign processed meat products coming into this country and sold in Kansas to be labeled as to country of origin. Some of the meat you buy in Kansas stores is foreign meat. Presently you have no way of knowing whether the meat your family is eating comes from Mexico, Australia, Argentina or Kenya or the United States.

Over the last several years, we have witnessed the strict regulations placed on our small Kansas meat processing plants. It makes no sense to me that we put such high standards of cleanliness on our own small processing plants and then let meat products in from foreign countries (which is processed under lower standards) without labels as to where it originated. It is amazing to me with all the meat we produce in this country, which is sold by the farmer at such a low price (hogs recently 9 cents a pound), that we import more meat than we export. We are bringing in lower quality meat produced under lower standards and selling it as American meat, therefore depriving our citizens of the right to make an informed choice. It would be a good thing to uphold the law and label our meats.

In following up on a recent meat contamination scare, my office called one of our large meat packing companies and found there is a world wide shortage of trimmings. Trimmings are fat and other tissue which is added to lean hamburger made from cull cows who have very little fat. Large companies are importing much of these trimmings from Australia and New Zealand through Canada. This is just one example of foreign meat in our stores. Another is that this same large company told us that prime steaks are being imported to the east coast markets from Argentina. Also foreign meats are common ingredients in many prepared products such as bologna, TV dinners, burritos, meatballs, etc.

In a letter our Attorney General indicated to our Senate Agriculture Committee that the present law may or may not be deemed constitutional, and that implementation of its requirements would be problematic. With all the federal rules, regulations and treaties, no one knows at this point what some court may eventually decide, if it ever comes to that. We cannot be so timid in protecting the health of Kansas citizens that we are afraid to do anything. Other states are considering similar protections for their citizens. Our farmers and consumers deserve our utmost effort to process the best food possible and to protect the health of our children and ourselves. And remember, we are not changing the law, just changing who enforces it. If we don't move, who will?

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Attachment 4*

(Present law)

65-6a47. Imported meat, poultry or dairy products; labeling; definitions.

Every wholesaler or retailer who sells or offers for sale in the state of Kansas through a meat market, store or otherwise, any meats, either canned, frozen or cured, or any poultry, eggs or butter, which are the products of any country foreign to the United States, shall clearly label such meat, poultry, eggs or butter as "imported," naming the country of its origin, which labeling shall be in lettering not less than $\frac{1}{2}$ inch in height. As used in this act:the word "meat" means the dressed flesh of cattle, swine, horses, sheep, rabbits or goats....

EDWARD W. PUGH

SENATOR, 1ST DISTRICT

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TOPEKA

SENATE CHAMBER

March 10, 1999

TESTIMONY PRESENTED TO HOUSE AGRICULTURE COMMITTEE

by

Senator Edward W. Pugh

COMMITTEE ASSIGNMENTS

MEMBER: ENERGY AND NATURAL RESOURCES

JUDICIARY

UTILITIES

RULES AND REGULATIONS

Mr. Chairman, members of the Committee. I appear before you this afternoon in support of Senate Bill 292. For over 20 years, Kansas law has required that the country of origin for meat products produced abroad be boldly labeled on retail packages. For over 20 years, this law has not been enforced. The reason for non-enforcement, I do not know, though I do believe that the enforcement process in the law, requiring the cooperation of the Kansas Department of Health and Environment and county attorneys, contributed to the non-enforcement. Senate Bill 292 remedies this problem by placing enforcement responsibility in the hands of the Attorney General, a person and an office noted for concern about consumers' rights. I believe that such emphasis is necessary in the matters covered by Senate Bill 292.

By enforcing the labeling of the products covered by the law, two principal benefits will be achieved. Both are intertwined. First, consumers will know whether or not the product is produced abroad. This is important as the conditions under which it was produced are in all likelihood not the strictly maintained and inspected conditions that are imposed on Kansas meat producers. As you know, Kansas producers have to meet rigorous standards - many small processors have been under the gun to comply, pushing them to their survival limits. Consumers should be able to make their own decisions whether they buy foreign products or U.S. products. Second, as you know, our farmers and ranchers are experiencing some of the toughest times in Kansas history, yet they produce the safest and best foods in the world. Our Kansas products should not have to compete with foreign foods that have their origin hidden from the consumer. State government should not be a party to this deception.

Thirty-four Senators, in a rare show of bipartisan agreement, have signed on as sponsors of Senate Bill 292. I think I could have gotten more if I could of tracked them down in the waning minutes before the bill's printing deadline. I ask that you continue this support of the Kansas consumer and the Kansas livestock industry. I ask that you report this bill favorably to the House.

Thank you for your attention - I stand for any questions you may have.

Edward W. Pugh

House Agriculture Committee
 March 10, 1999
 Attachment 5

SB 292
Testimony of Tim Benton
House Agriculture Committee
March 10, 1999

Madam Chairman and members of the Agriculture Committee:

I appreciate this opportunity to address your committee with my thoughts regarding Senate Bill #292. My name is Tim Benton and I'm a cattle rancher from Garnett. As you know, this bill would require the enforcement by the Attorney General of a statute that is already on the books in Kansas but not being enforced.

As a beef cattle seedstock breeder, I spend a great deal of effort to select and reproduce beef cattle genetics that will produce an efficient, high quality food product for my ultimate customer – the individual consumer of food. My family and I take a great deal of pride in the cattle we breed and sell. Our purebred seedstock are used by commercial cow/calf producers to propagate the cattle that then are fed out and eventually enter the human food chain as beef in the supermarket meat counter. It is important to me, and I think only fair to the Kansas consumer, that we identify the quality product we produce here in this country, as well as the beef produced and processed in foreign lands.

As you probably know, we have in this country and in this state, a very tough and thorough meat inspection system. This allows consumers to have a high degree of assurance that the meat products they buy are extremely safe to consume. I am not an expert on inspection systems in other countries, but I have been told by people that are, that our system is more involved and our regulations are much more stringent than most, if not all, of the countries we import meat from. Once this foreign product enters this country, however, it loses its identity and can be mingled and sold with our high-quality, wholesome American product. It should be required to be labeled. As far as I know, we require all other types of product, from clothes to cars, to carry country of origin labels. Why not food products? Our consumers have a right to know.

This bill only makes sense, doesn't it? It is not opening up new territory by putting new regulations and controls of industry on the books. It only provides for enforcement of a statute that has been on the books for over twenty years. I hope you will see fit to recommend SB 292 for passage and help give Kansas consumers the information they need to make logical choices regarding the safety and quality of food they eat.

Thank you.

*House Agriculture Committee
March 10, 1999
Attachment 6*

CATHERINE A. MCCLAY
TESTIMONY BEFORE THE HOUSE AGRICULTURE COMMITTEE
IN SUPPORT OF SENATE BILL 292
March 10, 1999

Chairperson Flower and members of the committee. I support Senate Bill 292 requiring the Attorney General to enforce the provisions of K.S.A. 65-6a47.

My name is Cathy McClay. I live just south of Ottawa and have been a long time Kansas resident. As a consumer who is responsible for purchasing the food for my family for many years, I have long been concerned about the cleanliness of the food I purchase. With our stringent food processing laws and with what I hear in the news about our ever-vigilant government cracking down on cleanliness violators, I have felt confident that the meat I purchase in the store is American processed and American inspected. As the food preparer for a family for many years I have long been concerned about the cleanliness of the food I purchase. I feel confident that meat produced and processed in the U.S. is pure and free of harmful bacteria. I do not have this confidence in meat produced and processed south of the border or in many other foreign countries.

I was not aware that ground beef, hot dogs, baloney and other meat products that are offered for sale in stores may have come from foreign countries.

All of this meat that is produced and processed outside of the U.S. should be clearly marked so when I go into a store I have a choice. I do not have this choice if the product is not labeled.

I am from a farm family and I want to support our farmers by buying the products they produce.

I am surprised that K.S.A. 65-6a47 requiring labeling of foreign food imported into the U.S. has been on the books for over 20 years and has never been enforced.

For the protection of all of us it is important that we know where our food comes from.

I urge you to support Senator Tyson's bill.

Catherine A. McClay
#5 SW Fairview Dr.
Ottawa, KS

*House Agriculture Committee
March 10, 1999
Attachment 7*

CYNTHIA L. SMITH
TESTIMONY BEFORE THE HOUSE AGRICULTURE COMMITTEE
IN SUPPORT OF SENATE BILL 292
MARCH 10, 1999

Chairperson Flower and members of the committee. I enthusiastically support SENATE BILL 292, requiring the Attorney General to enforce the provisions of K.S.A. 65-6a47.

My name is Cynthia Smith. I live in Linn County Ks. I have long been concerned about the safety of our food supply. The happenings of the recent past have reinforced my concerns. My husband and I are very small beef producers. We would welcome the labeling of our product, because we are proud of the quality.

The first incident of major proportions since the signing of the NAFTA agreement, was the importing of contaminated strawberries from Mexico. (many school children became ill.) Then was the outbreak of **E-Coli** at the Jack-In-The-Box fast food chain in Washington state followed by the huge recall of hamburger from a plant in Omaha, Nebraska. It seems that every week there is a recall for some kind of food mostly meat. Though wanting to know from where our food comes would seem obvious, I have listed just a few of the reasons for labeling.

- 1) We as parents and grandparents are responsible for the health and well being of our children. There are thousands of deaths each year from contaminated food and the children are the most vulnerable. They rely on us as adults to keep them well.
- 2) If we cannot trace the problem to its source, then we cannot fix the problem.
- 3) If we as Kansans demonstrated that we wanted to know the source of our food supply then I believe this would encourage producers from wherever to market the highest quality, uncontaminated food for the U.S. and other consumers.
- 4) Can it be said with certainty that no beef came into our country from England where the MAD COW disease occurred? If it did would we know it?

I recently asked a butcher in a grocery store of his thoughts for labeling meat. He replied "I am not going to label each package of meat because it takes too much time" He didn't realize that the second it takes to affix a label he may be **saving a child's** or someone else's life.

There has been a statute on the books since 1978 that required the point of origin for meat products to be identified. All we as consumers are asking, is that law be enforced and penalties levied for noncompliance.

Thank you for letting me air my views on this very important subject.

Cynthia L. Smith
Pleasanton, Ks.

*House Agriculture Committee
March 10, 1999
Attachment 8*

SENATE BILL NO. 292: March 10, 1999 Kansas House Agriculture
Testimony

Mr. Chairman, members of the House Agriculture Committee:

Thank-you for taking the time to provide the hearings on this bill which addresses the issue of Origin of Labeling for our beef.

I am Linda Hessman, a farmer/stockman wife and partner, a consumer, and I also serve as a member of the Kansas Farmers Union Board of Directors. I recently completed a four year term as a Kansas Wheat Commissioner, and ten years as the Rural Life Director for the Diocese of Dodge City.

The debate concerning Origin of Labeling crosses over into several areas effecting consumers and rural communities today and in the future. A few of these areas are: food safety, market concentration, trades policy, viability of our rural communities, American farmers and cattle producers. Nothing is cut and dried when we address concerns in the food industry anymore.

- America's farmers and ranchers are proud of the safe, high-quality commodities we produce. We deserve to have the "made in the USA" label stand out in the supermarket meat case.
- The nations producers have already paid millions of dollars for research and promotion for their products. Without labeling, the consumer has no way of reaping this benefit.
- Many consumers believe the meat they buy has been raised in the U.S. because it has been inspected by U.S. department of Agriculture meat inspectors. In fact, foreign-born-and-raised livestock processed in the U.S. carries the same USDA inspection label as U.S. -born -and -raised livestock.
- U.S. producers, processors and taxpayers have made a substantial investment in assuring U.S. meat production meets rigorous safety standards. By giving consumers the choice to buy U.S. produced meat, labeling ensures taxpayers benefit from that investment.

*House Agriculture Committee
March 10, 1999
Attachment 9*


- We always hear that our policy makers in Washington want to hear from the people "back home". This bill is a way to let them know that we in Kansas see the value of origin of labeling for our products, and join with The National Farmers Union, as well as the American Farm Bureau, National Cattlemen's Beef Association and the American Sheep Industry Association, who all support a provision in the U.S. Legislation which will provide beef and lamb origin of labeling at the grocery store to inform consumers where the meat the purchase is produced.
- Packers already use a computer program that can trace a critter from the point of kill to the meat counter; origin of labeling should be easily achieved.
- The argument that it will raise the price of meat is unjustified when compared to knowing the meat is safe, and that it is benefiting our health needs and America's economic needs.
- The Congressional Budget Office has scored the Origin Of Labeling legislation as being of no cost to the federal government. The cost to the industry, which ultimately will be passed along to producers and consumers, is minimal, estimated at approximately 20 cents per customer per year.
- The argument that it will "knock us out of the world market" or that some would have to seek their supplies outside of Kansas is invalid. Other countries already require labeling on meat and meat products, including competing meat exporting countries such as Argentina, Australia, Brazil, Canada, and Mexico. The European Union plans to require country-of-origin labeling by the year 2000.
- One of the "selling" points of NAFTA was that it would give us a "level playing field", that playing field has never been defined, however, through legislation such as this, we the family producer and consumer would have a better opportunity to stay in agriculture, and to revitalize our rural communities. Such legislation as you are considering is acceptable under both GATT and NAFTA agreements.

9-2

- Yes, we live in a global marketplace, but when you shop, don't you lean more towards products labeled "made in the USA", knowing that probably the quality and safety are better, not to mention it adds to our own economic base?

As a consumer, I have the right to make the decision as to the origin of the products that I purchase for my family. We do not need the multi-national corporations making those decisions for us—especially when it overlaps into the areas of health and economic safety.

Urge you to support Senate Bill # 292.

Thank you,

Linda Hessman
10948 104Rd
Dodge City, Kansas 67801
(316) 227-3688

9-3

Cattleman's Legal Fund

P.O. Box 748
St. Francis, Kansas 67756
785-332-3344

TESTIMONY OF MIKE CALLICRATE

THE CATTLEMAN'S LEGAL FUND

HEARING ON MEAT LABELING

JULY 9, 1998

Cattlemen committed to restoring free, open and competitive markets to all producers

House Agriculture Committee
March 10, 1999
Attachment 10

TESTIMONY OF MIKE CALLICRATE, REGARDING MEAT LABELING, PRESENTED TO
THE HONORABLE HELEN CHENOWETH, U.S. REPRESENTATIVE, AT THE JULY 9, 1998
BOISE, ID HEARING

Thank you for holding this very important hearing. My name is Mike Callicrate. I own and operate a cattle feeding operation in Northwest Kansas and am a member of the Cattleman's Legal Fund, representing cattle producers fighting to restore free, open and competitive markets in the sale of our cattle.

We celebrated Independence Day, the Fourth of July this past weekend. Barbecue grills from coast to coast were fired up, cooking hamburgers and hot dogs. Fruits and vegetables and other foods of all kinds were consumed at these family gatherings. How can we say this food was safe? Do we really know where the food came from? Do we know under what conditions it was produced? The answer is NO to all these questions, I'm sorry to report.

Why, in a supposedly free country with a representative government and laws providing for public safety, are we exposed to such tremendous health risks? I have more questions than I have answers.

Shouldn't the consumer have the right to know where his food comes from, what exactly he is eating, how it is produced and under what conditions it is grown and processed? I believe consumers do have that right.

There are laws on the books today that require this information on most consumer goods, but not on food. Research has shown that in this new "global" economy, food travels an average of 1600 miles from production to consumption. There has never been a time in our history that labeling and source verification is more important than today because of this fact.

With problems ranging from illness to death, from Jack in the Box to Hudson Foods, U.S. beef shipments to Korea, Canadian beef shipments to Louisiana and most recently the E. coli outbreaks in Georgia and New York City, consumers and government officials have been continually reminded of the expanded health risks in today's new "global" food economy. Months later, government officials have yet to determine the source of many of the food-borne illness outbreaks, yet producers and consumers continue to pay the price of these extremely emotional and volatile market-breaking news releases.

And why is less than 2% of the meat, fruits and vegetables that cross our borders inspected? When visiting south of the border we are told not to drink the water and to peel the fruits and vegetables prior to eating, while at home we unknowingly feed our children these same imported foods, potentially contaminated in human waste water, from areas of poverty and worker exploitation. U.S. producers are banned from using slave-like labor, non-sustainable practices and unsafe chemicals, while U.S. consumers unknowingly eat imported meats, fruits and vegetables grown under these same illegal practices and conditions.

Why aren't consumers given the opportunity to make the choice of buying imported products or supporting their own domestic producers, processors and local food providers? Why does such a seemingly obvious problem and critical need go unattended?

The BSE "Mad Cow" problem in Europe, resulting in the destruction of 1.2 million cows and \$800 million in losses, is a recent reminder of the importance of knowing where our food comes from.

When IBP meatpackers shipped E. coli tainted beef to Korea during the last year, thanks to Korea's labeling law, the problem, when identified, was quickly isolated and resolved. Otherwise Korean producers and producers from other sources could have been seriously affected. U.S. farmers and ranchers are denied the same protection at home, thanks to our government's open border policy. Without labeling, how would U.S. producers fare if faced with a similar "Mad Cow" crisis?

USDA is failing in its current responsibilities. Inspection practices are flawed. New programs like HACCP (self-inspection) are irresponsible. Practices like irradiation are the wrong solution, essentially covering up problems while being cost-prohibitive to most small processors, further reducing competition and empowering the already too powerful big packers. One Texas farmer commenting about irradiation explained, "Whole Hog (literally) sausage is now a real possibility." What a spectre we face!

The smaller, more-efficient, lower-cost producers and packer-processors providing the safest, most healthful products, because they are more closely controlled, are being run out of business with unnecessary regulation and barriers to trade, while the government seems to clear the way for the continued devastation of concentration and consolidation. IBP, the biggest packer, for example, has the fastest chain speed, the most inexperienced workforce with the highest worker injury and turnover rate in the business (U.S. News and World Report). Thus contaminants and bacteria don't just sneak in – they're built in. Is it any wonder why E. coli has nearly become synonymous with IBP? Labeling and source verification is important domestically as well as globally!

It is now evident Congress has abrogated its oversight responsibilities regarding meat safety in allowing the beef and food industries to be dominated and controlled by a powerful packer monopoly and other domestic and multi-national food powerhouses. These companies, while maximizing profits, justify risking consumer's health and safety by promoting their false efficiencies, economies of scale and benefits of free global trade.

Professor of Sociology at the University of Missouri, Dr. William Heffernan says, "Powerful multi-national corporations search the globe for the hungriest people who will work the cheapest and sell the production in the highest consuming markets." Labeling, inspection, source verification, safe and sustainable practices are considered unnecessary costs and barriers to corporate "free" trade. These companies don't care about people; they only care about profits.

Global corporations, cooperating with food distributors, blend and grind unsafe, low quality imported product with domestically produced beef. They will fight to continue this highly profitable fraud on the consumer. A recent 'Dateline' investigation exposed the practice of blending and hiding other species of meat in ground beef. This is not only another example of food

fraud but also a serious potential health hazard, and reminds us of the urgent need for proper labeling in domestic markets

The power and influence of these powerful corporations extends beyond control of production agriculture, processing and distribution to politics, government law enforcement and regulation. Government must work to benefit the people instead of the huge multi-national corporations which have usurped our health and freedoms with their influence and power.

Thomas Jefferson upon leaving office in 1809 said, *"I hope we shall crush in its birth the aristocracy of our monied corporations which dare already to challenge our government to a trial by strength, and bid defiance to the laws of our country."*

Consider some 80 years ago, Upton Sinclair in "The Jungle" described a powerful packer trust that exploited and enslaved meat packinghouse workers. Even though this same packer trust additionally fixed prices and manipulated markets at the expense of consumers and producers, it was finally the food safety threat that brought government attention and the trust busting legislation of the Packers and Stockyards Act of 1921. Today, we are back in the same position, only now the problem is global!

Many of the needed laws, like border inspection that could help insure safe food, are in place but are not being enforced. Mandatory labeling at the final point of sale must be adopted to give consumers the information they need to make their own choices. U.S. producers have invested heavily in and are committed to producing the safest, highest quality, most consistent supply of food in the world. There will be problems of course. That's why the ability to identify the source is critical.

We know government mandated costs, like taxes, inspection, and regulatory burdens, add significantly to the U.S. producer's costs of production but the U.S. government, in addition to allowing dangerous foods to cross our borders, is also allowing these same imports to cross our borders in violation of trade-treaty, anti-dumping provisions. Economic models analyzing beef and live cattle trade show \$200 to \$220 per head loss or over \$4 billion annually on a net trade basis (imports minus exports) to U.S. producers in recent years. Furthermore, how can government continue to promote this unfair trade when many of these same imports are produced under conditions that blatantly violate U.S. laws? We need to restore that level playing field.

People, provided with the necessary information, can make better choices and feel better about the food they consume and can vote with their dollars on who they want producing their food and how. I urge you to immediately reform and strengthen our labeling laws to give our nation's consumers that vital choice.

Respectfully submitted,

Mike Callicrate

Demand American Meat Now

P.O. Box 1181
Boise, ID 83701

March 5, 1999

Dear Friend

Mike Callicrate wanted me to be sure that you received a special invitation to join him, along with Helen Chenoweth, several industry representatives and consumer organizations at the *Demand American Meat Now* Conference being held on March 20th at the Sheraton Grand Hotel located at the Dallas/Ft. Worth Airport.

The purpose of the conference is to generate and maintain support for legislation to identify the country of origin for meat products sold in the United States. We expect to bring this issue to the attention of the national media, appropriate legislative bodies, consumer groups and the general public. Such legislation addresses an important consumer right as well as American producers' high commitment to meat quality and food safety.

It is essential not only to the livestock producers that we discuss all the issues now but it also supports our deep faith in the consumers right to know. We have an exciting list of speakers and topics. I think you will find the meeting very informative and worthwhile. The registration fee is only \$50 per person - \$75 for a couple and this includes a superb lunch but seating for lunch is limited so register as soon as you can.

For more information or a registration packet, please call us at 1-877-4US-MEAT. We sure hope you can join us.

Sincerely,



Don Walter
Demand American Meat Now

DW:mck
Encl.



Demand American Meat Now

P.O. Box 1181 - Boise, ID 83701

1-877-4US-MEAT

Registration Form

March 20, 1999 Conference

Sheraton Grand Hotel - Dallas/Ft Worth Airport

Last name	First Name
Address	Phone Number
Fax	e-mail address

How many will be in your party? _____

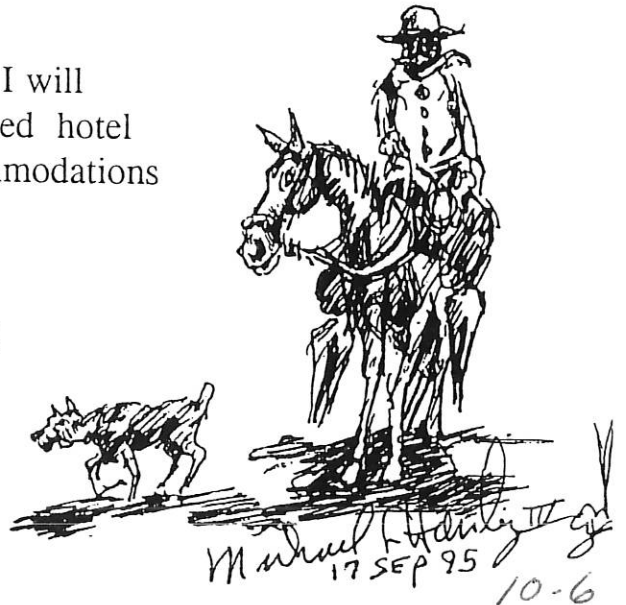
May we expect you to join us for lunch? _____ [Yes] _____ [No]
(Please note: The hotel has informed us that lunch seating is limited)

We have a block of rooms set aside for overnight guests. If you plan to stay at the Sheraton Grand Hotel, please let the hotel know you are part of the *Demand American Meat Now* Conference so you can be sure to get the conference rate. Rooms are \$85 for single occupancy or \$95 for double occupancy but register soon to get the conference rate. Please call for reservations as accommodations are limited. Complimentary shuttle service provided by Thrifty Car Rental to the Sheraton from the airport.

_____ Yes, I will plan to stay
at the Sheraton Grand and
I will call them direct for
Reservations at 1-800-345-5251

_____ No, I will
not need hotel
accommodations

Thank you for coming. We look forward
to seeing you there!



SENATE BILL No. 292: 10 March 1999 House Agriculture
Testimony

Mr. Chairman, members of the House Agriculture Committee:

I am Roy Dixon, owner and manager of Highlands Livestock, a member of the Kansas Cattlemen's Association, Thomas County Farm Bureau, and Kansas Farmers Union.

I thank this committee for the opportunity to be here today.

Today, more and more, consumers have been exposed to such alarming news and experiences such as kangaroo meat, horsemeat being blended into American ground meats and prepared over the counter meal items.

E-coli, salmonella, and fecal contamination of meats have been a tremendous concern for the consumer. The media and scientific community has also brought to the attention of consumers various antibiotic residues showing up in meats or the fact of certain antibiotic usage in livestock production causing a lower efficiency of prescription medicine used in human ailments.

Most foreign country's livestock pharmaceutical regulation standards are greatly lower than regulations of the United States.

There are many livestock pharmaceuticals that pose tremendous risks for humans who eat meat contaminated with drug residues.

Chloramphenicol can shut down the human immune system abruptly and has lead to death of individuals, furazolidon research has proven to be carcinogenic, Ifropan has shown extreme negative results toward human health. These are just a few of the drugs the FDA has banned from use in our livestock industry due

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Attachment 11*

to its adverse effect on human health when consumed in our diets. Yet many of these drugs are used in imported meat and livestock from foreign countries.

In the 80's, the late Floyd Fairleigh, a leader in the cattle feeding industry from Scott City, Kansas, told me of an experience he had at a restaurant. A young man near Floyd fell over at a table near him and died almost instantly. The autopsy confirmed death due to a severe reaction to penicillin. The hamburger he consumed had a very small trace of this antibiotic. Yet, the residue was enough to kill him. It was discovered this man had an extreme sensitivity history to penicillin.

For a drug to be approved for use in the United States, the average cost of research and application with the FDA is \$33 million dollars. This is just a part of our country's quality assurance safety programs. No other country in the world imposes such standards for the protection of its consumers. No other country has the stringent health regulations that our meat processing firms have imposed upon them.

There have been reported cases of imported meats, when thoroughly tested, that have shown a presence of antibiotic residues and other medication residue. These meats get through the system here in the United States. Today less than 2% of imported meat is inspected.

A gentleman with a large feed additive company expressed the following to me yesterday:

“Here in the state's, we don't have a disease resistance tolerance to the diseases that exist in other foreign countries. Simply, we are not exposed to them. For example, when we drink the same water in parts of Mexico that doesn't have any adverse affect on the

locals, we become sick due to the fact we haven't built up an immunity to diseases common to that area.”

For those who travel overseas remember how we have to get certain immunization shots for the countries we intend to visit?

The concern my friend had is that imported livestock and meats carry these microorganisms in their tissues. This can expose the American consumer to disease that we have not built up a tolerance to in our systems.

When I buy meat for my three sons' and myself, I want to be assured it is safe for them to eat. I want to know where it came from, where it was raised and under what conditions.

Consumers need the assured safety that all imported meats be subject to an inspection standard that is equal to that prescribed for domestically produced beef. They want to know the meats they purchase are clean, free from bacterial contamination, free from virulent contamination, and drug residue free. They want a good, wholesome, quality product.

If imported meats do not meet the standards of U.S. produced meat, they should not be allowed into the United States. Today testing is a random process. Therefore we need a system in place that does address food safety. Labeling and point of origin is also important for domestically produced meat. If a problem arises, whether imported or domestic, it is vital we are able to identify the source.

That brings us to **Point of Origin Labeling**. For food safety, we need to be able to trace back the origin of a product if a health concern arises, so as to resolve and then prevent such a situation from occurring in the future.

Point of Origin Labeling also provides the consumer with the option of purchasing US produced meats, blended meats or totally foreign meats.

Don't we do the same in other industries? Remember the automobile ads, as well as other products promoting – AMERICAN MADE – THE CHOICE IS YOURS!

Look at the clothes you wear ~ does it say made in the U.S.A., or Taiwan, or in Japan? **These labels give you point of origin. They give you options.** Options to buy American made or foreign made. They give you, the consumer a choice.

The National Cattlemen's Beef Association is working on a similar bill to present in Washington, D.C.

Don't you agree that American consumers deserve safe, wholesome and nutritious food products for their families?

I encourage you to support Senate Bill #292.

Thank you.

**IBP:
BEMOANING SOUTH DAKOTA
THE FREE ENTERPRISE CATTLE STATE**

By Al Krebs
The AgriBusiness Examiner

Setting a precedent that independent cattle producers hope will be replicated throughout the country in lieu of inaction by the USDA's Packers & Stockyards Administration (P&SA), the South Dakota State legislature has enacted Senate Bill 95 which will require that all packers now will have to report all prices, contracts and terms when purchasing South Dakota cattle.

The bill which Governor Janklow has promised to sign declares that, "a packer soliciting livestock for slaughter in this state may not discriminate in prices paid or offered to be paid to sellers of that livestock." Packers will now be required to report to the USDA all prices paid for livestock, both contract and direct purchased at the end of each day.

"A livestock seller who receives a discriminatory price, or who is offered only a discriminatory price for livestock based upon a violation of these provisions by a packer, has a civil cause of action against the packer and, if successful, shall be awarded treble damages," the bill also states. Heralding the new law, Johnny Smith of Ft. Pierre Livestock Market emphasized the need to save agriculture, the state's number one industry. "We have to save the industry! This new law will stop the big meat packers from 'stealing' our cattle. The packers are bankrupting good producers with their anti-competitive bidding practices. The price discrimination, captive supplies, secret deals and overall abusive market power has to be stopped. Today we took an important step in fixing a badly broken marketing system."

Cattle feeder and auction owner Herman Schumacher added that "packers, as expected, are calling SB95 the 'anti-business' bill. Actually this will help the cattle business which has long been depressed due to predatory and monopolistic cattle buying practices. IBP has even threatened to not buy cattle in South Dakota. The vice president of procurement, Bruce Bass for IBP was quoted referring to the home state of IBP's corporate headquarters as 'the soon to be socialist state of South Dakota.'

"The opposite is true," Schumacher adds. "South Dakota now will become the 'free enterprise cattle state.' Free Enterprise is what made this country great, and it will do the same for cattle producers. The packer monopoly is bankrupting cattle producers and overcharging and short changing consumers. This is a pro-business bill. If we are able to get fair prices for producers and save our industry our rural communities will prosper too.

"Hopefully, this breakthrough will give other big feeding states like Kansas, Nebraska and Texas the courage to fight the same destructive packer practices in their states that is destroying the future of producers and business. My friend Senator Daschle expressed his gratitude to South Dakota for this legislation. He said now the effort for national legislation to require more complete price information will have a better chance of succeeding."

Currently four packers, IBP, ConAgra, Cargill and Farmland-National control 87% of the beef slaughter market.

IBP ISSUES A MEAT RECALL

. . . AGAIN, AND AGAIN, AND AGAIN!!!

By Al Krebs

The Agribusiness Examiner

For the third time in the past 12 months IBP, the nation's largest (and most profitable) meat packer has had to "voluntarily" recall 10,000 pounds of wholesale ground beef following reports that it contained small particles of glass. While the recall, initiated February 6, was reported to the U.S. Department of Agriculture, the USDA has not officially announced any recall, IBP claims.

According to IBP it is unclear how or where the glass particles entered the ground beef, which was further ground and repackaged by the retailer before being sold to consumers. The company claims that there have been no confirmed reports of injuries or illness related to the finding, although the company has launched its own investigation into the matter.

"Out of an abundance of caution, we have initiated the recall of 125 boxes of this product. We have asked the three customers who received this ground beef to immediately remove it from commerce," IBP said. At least 43% of the product has been recovered, while the remaining amount is believed to have been consumed or discarded, IBP said.

The 75% lean ground beef product under recall was produced at IBP's Finney County, Kansas, plant during one hour of production January 18. The product's "use-by" date was February 5. Customers who received the ground beef were located in Indiana, Ohio and Florida, and, according to IBP, it is believed the end product appeared in fewer than 30 stores, mostly in Indiana and Michigan.

In October, 1998 IBP recalled beef because of possible E. coli contamination and earlier in April recalled a meat shipment after a single package produced at a plant in Joslin, Ill., contained the virulent strain of the bacteria.

The previous August the nation learned of the recall of 25 million pounds of Hudson Foods ground beef after 16 people in Colorado fell ill after eating patties tainted with the potentially deadly bacteria known as E. coli O157:H7. Then came the news that IBP had bought the Hudson Foods state-of-the-art Columbus, Nebraska plant. One of Hudson's suppliers had been IBP. Later, coincidentally, after South Korea discovered e-coli in a shipment of IBP beef, IBP was banned by South Korea from shipping meat to that country; the U.S.'s third largest beef export account.

While government officials and industry spokespersons are quick to point out when such recalls occur that "beef is not the problem, food is not the problem, E. coli O157 is the problem" a former Cargill packing plant employee disagrees. "The reason for the increase in e-coli and food born illness problems is 'big, greedy packers'." He adds, "the chains are running too fast with inexperienced personnel. Ingestive material is contaminating the meat with e-coli, which is found in all animal intestines."

U.S. News and World Report reported in 1996 over an 83% employee annual turnover rate of 1200 employees at IBP's Storm Lake, Iowa plant while, at the same time, in the past two years, the speed has increased on the production line 17%, to 330 head per hour, according to the Federation of Commercial Workers, yet the number of the line workers has increased only 6%.

HOUSE AG COMMITTEE: Joan Flowers, Chair

My name is Malcolm Moore and I represent the Kansas Cattlemen's Association.

Senate bill SB292 would benefit the cattlemen as well as the consumer. Kansas beef is of the best quality in the world. If imported beef were labeled as to the country-of-origin, the consumer would quickly learn the difference in taste and quality.

I have a cow-calf operation here in Shawnee County. We have spent 25 years and thousands of dollars on artificial inseminating, embryo-transfer work and buying genetically superior bulls. When our cattle are eventually slaughtered, the meat that has been produced is placed along beside meat from other countries, which is usually of lower quality. To the consumer, the meats may look alike, but the taste is totally different.

If the consumer doesn't find this cut to be good, she may not buy meat again soon. Why should we be penalized for a bad product that isn't ours? This is one of the reasons there is much inconsistency in meat quality.

The packers want more marbling, bigger rib-eye and less back fat. We produce this ideal animal for them through genetic selection. But they don't want to separate our meat from the lower quality meat they import.

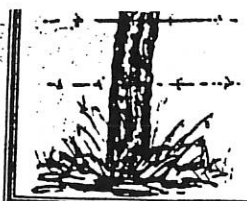
When meats from different countries are blended together in good ground beef, it makes it impossible to know where a contaminate like E. Coli originated. Wouldn't it be easier and safer for

*Kansas Agriculture Committee
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Attachment 12*

the packer to isolate where the bacteria came from if these shipments were kept separate?

If we now have the technology to place an electronic ear tag in a calf, so we can track him from birth throughout slaughter and receive carcass data on that animal, I would think we could keep shipments of meat from other countries separate.

The biggest reason meat isn't kept separate is that it is to the packers' advantage for us not to know where it came from. This might make it a little more inconvenient for IBP, Cargill and Conagra, but I think we should be more concerned with the Kansas Cattlemen and the Kansas Consumer.



By GUYTON MORTISON
 Concordia Rancher and
 Former Agriculture Educator

Play It Cool

Last week I attended an R-CALF (Ranchers-Cattlemen Action Legal Foundation) meeting in Beatrice, Neb., with my stepson, John. It was held at a large livestock auction barn. We arrived a few minutes late to find the parking lot full of cars. As we stepped over and around puddles from the melting snow, I wondered just what we were getting into. When we climbed the stairs, it was evident the building was packed out with standing room only. I stood for over an hour, and the best I could do was wiggle my way in to lean on a banister.

The governor of Nebraska, who stated he wanted to be informed on what was happening to the farmers and ranchers of his state so he could assist them in their efforts to survive the agricultural crisis, addressed the group. He appeared to be very supportive.

I studied the typical diverse farmer crowd. Some were wearing their Stetsons while most wore adjustable caps with their array of advertisements. Each person was listening intently and reading the information being projected onto the screen. One could have heard a pin drop except for the presenter's voice emphasizing the data. Occasionally, a round of spontaneous applause would encourage the speaker. It was quite evident the crowd was agreeing with what was being said.

Mike, one of the organizers of R-CALF, spoke for many frustrated farmers. That night, he was their champion. What was he saying?

1. Beef cattle imports reached an all-time high in 1998, equivalent to 5.8 million head. Even though United States herds were reduced by 2 million head from 1995 to 1998, the tremendous increase in imports have saturated the U.S. markets in recent years, circumventing this country's cattle producers' efforts to reduce cattle numbers in order to improve prices. Cattle producers have experienced their highest losses since the mid-'70s with cattle feeders alone losing \$2.5 billion in equity in 1998. The decrease in exports and the increase in imports may very well have cost the cow man over \$100 a calf.

2. The United States sheep industry has gone from 45 million head in 1980 to 7.6 million head in 1998, while lamb and mutton imports have increased 40 percent from 1980 to 1998. By doing nothing, the sheep producers have been forced to sell off their flocks. It is imperative the cattlemen take action now to prevent the same thing from happening to them.

3. Meat packers and processors have reduced in number to where there

are able to control prices by acquiring captive supplies of cattle through their own company ownership. Thus, they can slaughter their own cattle and bypass feed lots until the feed lot managers agree to sell at reduced prices dictated by the packers. This delay also fosters inefficient feeding and excessively fat carcasses. The anti-trust laws prohibiting monopolies are not being enforced. A lawsuit could activate these laws. There are also laws on the books to prevent harm to domestic industries from significant import supplies, dumping violations, and unfair trade practices, but, for these laws to be enforced, an industry must formally file a petition for import relief. This would initiate an investigation so action can be taken. This calls for action by the industry needing protection.

4. A chart, showing that profits of beef cattle producers feeders have decreased dramatically while during the same time period profits for meat retailers have soared, was projected on the screen. I was so shocked by the figures that I didn't get them written down. I know that producers are expected to provide cheap food, but the middlemen between the producer and the consumer are competent at grabbing more than their share of the pie. Packing companies are also getting a good slice of the retail business by adding value to the meats through more complete processing. This calls for less processing by butchers at the grocery store. This is not all bad and is more efficient, but at the same time it allows packers to set retail prices and thus have more power to control the industry. These price setters (on the weaning calf to the finished product) are assured of a consistent profit — regardless of whether beef prices are high or low. We producers — be it wheat, cattle, hogs, milk, cotton, or other crops — must become better informed, develop a case, and become skilled at negotiating for our fair share of the profit in order to survive. Being extremely efficient just isn't "cutting it"; it is only giving the middlemen a bigger share of the pie. (Information in these four enumerated paragraphs came from Mike's presentation as well as the brochure handed out at the meeting.)

The American Agriculture Movement in the late '70s lacked the skill to present its case effectively and left its members feeling frustrated. For some, this led to a militant attitude, which is not acceptable in today's sophistication.

May we agriculturists develop the

Stacy is the son of Robert and JoLene Kaufman. He is majoring in agronomy.



Sage of the Flint Hills

Fantasy-camper Garth Brooks is trying to make the San Diego Padres. We need to get this fellow back on stage and leave the hitting to Mark and Sammy. Next thing you know the Royals will have Shania Twain playing right field.

John William King made his mark in history as the first white person to face execution in modern Texas for killing a black person. It shows how far we still must travel to achieve the dream of another king — Martin Luther King, Jr.

Hillary's thinking of running for the Senate. No doubt, she would like to be the president after Bill has gone to never, never land. So run, Hillary, run. We would like to hear your answers about the whole Whitewater-Travelgate-Filegate thing.

I love to read the signs in front of churches. Here's one I saw recently: "Worship now, avoid the Easter rush." Another one read, "If absence makes the heart grow fonder, a lot of folks must love our church."

One of my favorite Chinese proverbs is: "Before you beat the dog, learn the name of

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GRASS
& GRAIN

Letters To The Editor

Labeling Bill Long Overdue

It was impressive to see the bill calling for the labeling of meat passed by our Kansas senators. The origin of meat labeling was long over due. This old law had never been enforced. Did the first time around have no meaning?

This should send a message to our U.S. representatives and senators that we want to know the origin of our food. Farmers have been wanting this for years. Consumers have been wanting this for years. It seems to have fallen on deaf ears. Hopefully they will listen to our state senators. It needs to be a federal law.

American consumers know what country their clothing is made in by the labels. We should have the right to know where our food comes from that nourishes our body. The opponent's concern is that other countries will start labeling their food. Let them. If foreign countries find fault with our food because of biotechnology, maybe we should listen. Our meat is safe, as should be, with mandatory federal and state standards.

We should support our local people whether it be farmers or city folks. We need to help each other for survival. The corporation's executives want to exploit foreign countries

cheap labor. They also want to lower our safety standards in order to make record profits. Labeling meat is not blocking free trade. It is making it closer to fair trade!

Roberts, Brownback,

Moran, Ryun, and Tiahr, we hope you get the message. The origin of labeling of food needs to be a federal law!

Fred and Loretta Detrixhe
Ames, Kansas

fdetrixhe@nckcn.com

AUCTION

SATURDAY, MARCH 13 — 10:30 AM

Located at the Community Building, Fairgrounds
OSAGE CITY, KANSAS

As I am moving to assisted living, the following sells to the highest bidder.

Admiral no frost refrigerator, top freezer with ice maker; Whirlpool large capacity HD auto washer; Whirlpool HD electric dryer; Sharp carousel microwave; D.C. Furniture Co. wood dining table with 4 chairs; RCA Color Track Plus console TV with remote, looks like new; Hamilton Beach 10 Blend Master; Breadman bread machine; Coronado chest type freezer; 2 Rival crock pots; Bishop divan; Singer Slant-O-Matic 401 cabinet sewing machine; Singer Electronic Imperial Anniversary Edition cabinet sewing machine, like new; Anderson 4 drawer file cabinet; Hover Power Drive upright vacuum with hand attachment; Casewell-Runyan Co. cedar chest, nice; Universal food chopper; good selection of pots, pans, glassware, dishes, Tupperware, etc.

COINS

1897 and 1922 silver dollars;
21 Kennedy halves, 1964-

1969; 13 Franklin halves, 1951-1963; 10 Standing Liberty halves, 1941-1949; 4 Standing Liberty quarters, 1934-1939; approx. 75 quarters, 1940's, 50's, 60's; several Mercury dimes and Buffalo nickels and Wheat pennies.
COINS WILL SELL LAST.

Antique walnut round stand table; matching walnut end tables; drop leaf coffee table; china cabinet, square glass front, nice, approx. 6 ft. tall; Franciscan 8 place china setting; Rogers silverplate 8 place setting; Pineapple crystal, partial set; Wagner ion skillet; 4 straight back chairs; card table and 4 chairs, like new; desk, nice; Lefton Blue-boy and Pinky wall plaques; WWII Army uniform; 2 Army wooden foot lockers; safe, marked U.S., 18x26 in.; some linen, towels, fancy work; antique trunk, good cond.; 4 large enamel pans; 2 stone crocks; maple 4 piece bedroom suite, nice.

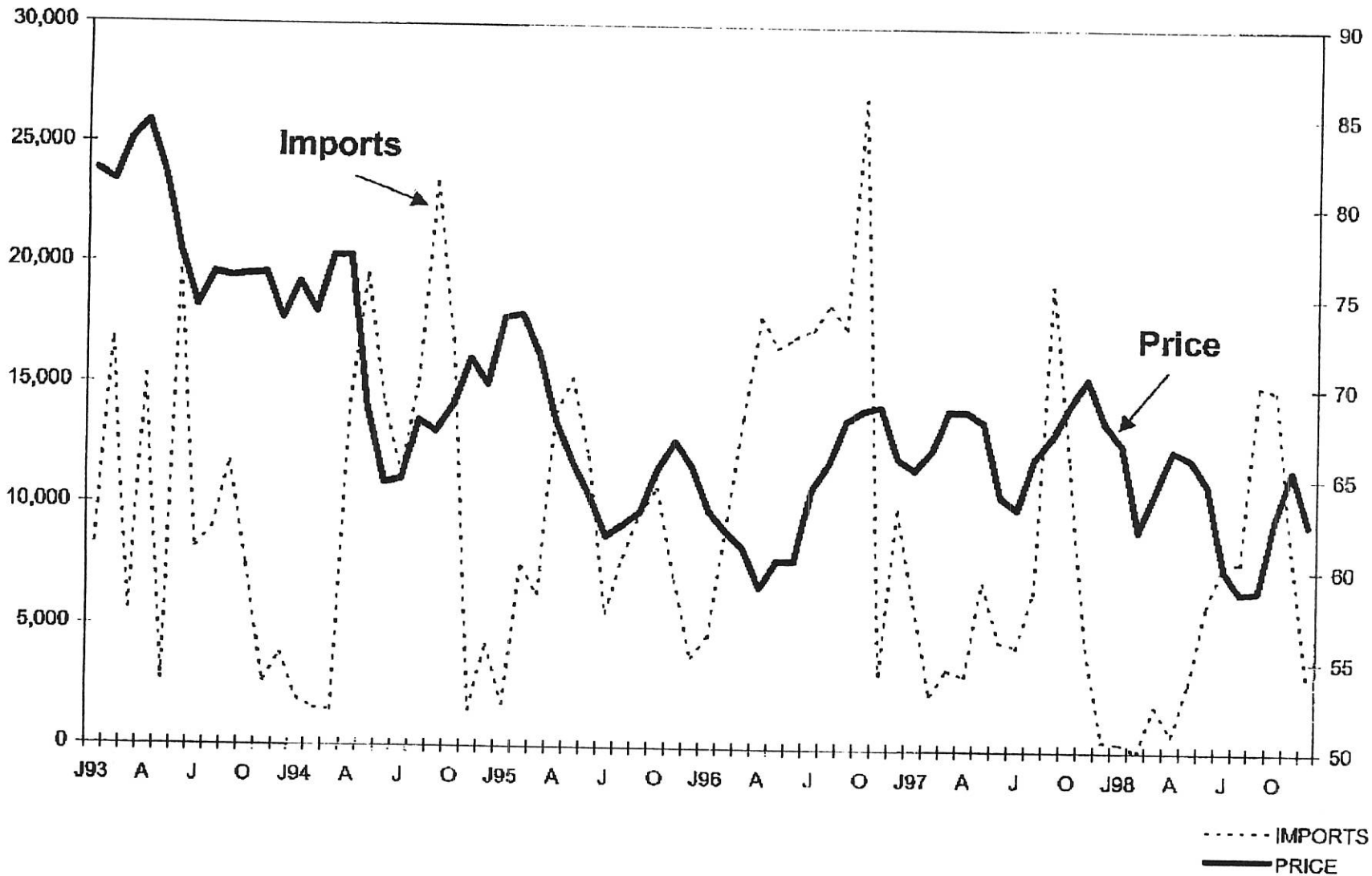
This is a partial listing, there could be some surprises, inspection day of sale only. Statements day of sale takes precedence over anything advertised. Cash or approved check day of sale. Lunch served.

MARY VAUGHN, OWNERS

BEATTY & WISCHROPP AUCTIONS, INC., Lyndon, KS
Wayne or Craig Wischropp
785-828-4646
Charles or Ed Beatty
785-828-4560

EFA
BUILDING THE FUTURE

Direct Slaughter Imports and its Relation to Colorado Monthly Steer and Heifer





PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON AGRICULTURE

RE: SB 292 - Requiring the Attorney General to enforce current statutory provisions related to labeling imported meat, poultry and dairy products.

**Prepared by:
Leslie J. Kaufman, Assistant Director
Public Affairs Division
Kansas Farm Bureau**

Chair Flower and members of the House Agriculture Committee, thank you for the opportunity to appear before you today and express Farm Bureau's support for SB 292 requiring country of origin labeling of imported meat, poultry and dairy products. I am Leslie Kaufman. I serve as the Assistant Director of Public Affairs for Kansas Farm Bureau.

This past January, agriculture producers representing the Farm Bureau members in all 50 states and Puerto Rico met in Albuquerque, New Mexico and approved policy positions which will guide the American Farm Bureau Federation (AFBF) during 1999. Kansas farm and ranch Farm Bureau members were active in this policy process.

AFBF policy supports the proper labeling of feeds, foods, fibers and other agriculture products. Imported products should be labeled at the distribution point and retail level as to the country of origin. Domestic food products, processed or fresh, blended with imported food products should be labeled to show all countries-of-origin in descending order at the final point of sale.

SB 292 is consistent with these principals. The measure will require the Attorney General to ensure retailers and wholesalers label imported meat, poultry, butter and eggs as to country of origin. As such, we respectfully request the Committee act favorably on SB 292. Thank you.

*House Agriculture Committee
March 10, 1999
Attachment 13*



Since 1894

To: The House Agriculture Committee
Representative Joann Flower

From: Mike Beam, Executive Secretary, Cow-Calf/Stocker Division

Subject: SB 292 - Imported Meat, Poultry, or Dairy Products Labeling

Date: March 10, 1999

Thanks for giving us the opportunity to provide information regarding labeling requirements for imported meat. Our Board of Directors chose not to adopt a policy position on the legislation. They did encourage us to appear before this committee to update you on findings of our national affiliate, the National Cattlemen's Beef Association (NCBA), and pending federal import labeling legislation.

A special NCBA task force looked extensively at the existing labeling requirements in 1997. They found the federal law requires *most* imports, including beef, to bear labels indicating their country of origin when they enter the United States. The Tariff Act requires every imported item be conspicuously and indelibly marked in English to indicate to the "ultimate purchaser" its country of origin. The U.S. Customs Service administers and enforces this act. Customs generally defines the ultimate purchaser as the last U.S. person who will receive the article in the form in which it was imported. That is why you will find such labeling on all individual, retail-ready packages of imported meat products.

NCBA also learned imported bulk products, such as carcasses, carcass parts, or large containers of meat or poultry parts destined for U.S. plants for further processing, must also bear country-of-origin marks. Live cattle destined for slaughter may enter this country in sealed trucks. Once these non-retail items enter the country, USDA inspection laws consider them to be domestic products. A processing plant receiving imported beef or live animals is considered the ultimate purchaser. USDA no longer requires import labeling of this meat or its container. For example, after a U.S. processor imports beef and processes it into sausage or soup, the processor and retailer are not required to label the finished product as imported beef.

*House Agriculture Committee
March 10, 1999
Attachment 14*

Last year, NCBA and other national organizations lobbied Congress for legislation forcing more stringent import labeling requirements. It was not a "clear cut" issue. Much of the debate was on the labeling of ground beef that has a percentage of imported lean mixed with U.S. trimmings. Some asked who would bear the added costs of maintaining the identity of imported and domestic products and the added enforcement of the proposal.

Before Congress adjourned last fall, the appropriations bill included a provision requiring USDA to research this issue. This study is intended to determine the costs of implementing a more stringent labeling law and who will bear these costs. The report from this research project is due this April.

In the meantime, the push for new federal import labeling laws is gaining momentum. I've attached a summary of bills introduced thus far in the 106th Congress.

I have also attached two charts that show which countries are importing products to the United States and which countries are our biggest export customers.

I hope this information is helpful as you consider this legislation. We would be happy to provide further information on this topic upon request. I'd also be happy to respond to any questions or comments. Thank you.

Overview of 1999 Federal Bills Containing Meat Import Labeling Provisions

- S. 19, sponsored by Senators Tom Daschle (D-SD) and ten Democratic Senators, contains a provision requiring country-of-origin labeling of beef, pork, and lamb and restricts the use of USDA quality grade to domestically produced meat.
- H.R. 222, sponsored by Helen Chenoweth (R-ID), Earl Pomeroy (D-ND) and 31 other cosponsors, requires country of origin labeling for whole muscle cuts, ground meats and processed products containing meat.
- S. 251, sponsored by Senators Conrad Burns (R-MT), Larry Craig (R-ID), Craig Thomas (R-WY) and Mike Enzi (R-WY), requires country of origin labeling for retail whole muscle cuts, requires mandatory labeling for ground meat that may contain imported meat and establishes guidelines for the verification and labeling of 100 percent U.S. ground beef.
- S. 242, sponsored by Senators Tim Johnson (D-SD), Mike Enzi (R-WY), Craig Thomas (R-WY), Max Baucus (D-MT) and Harry Reid (D-NV), requires country of origin labeling for retail whole muscle cuts, requires mandatory labeling for ground meat that may contain imported meat and establishes an audit verification system for USDA to monitor meat labeling compliance.
- S. 241, sponsored by Senators Tim Johnson (D-SD), Mike Enzi (R-WY), Craig Thomas (R-WY), Max Baucus (D-MT) and Harry Reid (D-NV), rescinds USDA quality grade eligibility from all imported meats.

Ex pts from "Final 1998 Review

by

Chuck Lambert
Chief Economist

National Cattlemen's Beef Association

First 11 Months Beef Imports from Primary Suppliers: 1997 vs.1998						
Volume (Thousand Metric Tons)				Value (Million Dollars)		
	1997	1998	% Change	1997	1998	% Change
Canada	247.40	280.25	13.29	553.10	671.19	21.35
Australia	201.86	261.71	29.65	334.67	430.95	28.77
New Zealand	180.27	185.68	3.01	309.69	309.85	0.05
Brazil	21.44	30.57	42.53	60.46	93.44	54.55
Argentina	31.09	27.12	-12.77	104.88	102.08	-2.67
Uruguay	19.50	13.62	-30.16	39.76	32.08	-19.31
Mexico	3.57	3.69	3.48	10.00	11.74	17.38
Other	29.24	15.19	-48.04	63.11	32.95	-47.79
Total US Beef Imports	734.36	817.85	11.37	1,475.67	1,684.28	14.14
Variety Meats	27.82	28.23	1.49	57.72	54.62	-5.38
Total US Imports: Beef + Variety Meats	762.18	846.08	11.01	1,533.39	1,738.90	13.40

First 11 Months U.S. Beef Exports to Primary Markets: 1997 vs.1998						
Volume (Thousand Metric Tons)				Value (Million Dollars)		
Beef	1997	1998	% Change	1997	1998	% Change
Japan	319.93	342.65	7.10	1,288.96	1,213.65	-5.84
Mexico	94.36	127.40	35.01	266.03	356.05	33.84
Canada	85.70	78.76	-8.09	283.12	258.48	-8.70
S. Korea	85.85	46.94	-45.33	278.64	125.92	-54.81
All U.S.	635.61	651.59	2.51	2,306.40	2,130.28	-7.64
Variety Meats	1997	1998	% Change	1997	1998	% Change
Japan	80.82	92.92	14.98	233.74	250.20	7.04
Mexico	35.73	40.59	13.58	40.59	48.51	19.52
Canada	10.49	9.55	-9.01	9.31	8.28	-11.11
S. Korea	5.33	3.15	-41.01	7.90	4.99	-36.81
Russian Fed.	51.92	39.83	-23.29	49.06	37.78	-22.99
Egypt	23.92	18.03	-24.64	19.27	17.45	-9.46
All U.S.	258.08	283.99	10.04	428.43	437.57	2.13
Beef Plus Variety Meats:	1997	1998	% Change	1997	1998	% Change
Japan	400.75	435.57	8.69	1,522.70	1,463.85	-3.86
Mexico	130.10	167.98	29.12	306.62	404.56	31.94
Canada	96.19	88.31	-8.19	291.39	266.76	-8.45
S. Korea	91.18	50.08	-45.07	286.54	130.91	-54.31
All U.S.	893.69	935.58	4.69	2,734.84	2,567.85	-6.11
Note: % Change is change from 1997 in percent, i.e., beef volume exported to Canada in 1998 decreased by 9.1 percent; beef volume exported to Mexico increased 35 percent, etc.						

14-4