

Testimony
By
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Before
California Senate Agriculture Committee
Sacramento, CA
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National Meat Association is here today on behalf of its members, slaughterers and processors of beef, pork and lamb in California and others states. We are opposed to Senate Bill 1425.

Authority to establish inspection standards and requirements applicable in facilities that slaughter and process beef for commerce in California was vested exclusively in the United States Department of Agriculture after California voluntarily withdrew from providing these services on April 1, 1976. That decision was made primarily for budgetary reasons.

I am providing for your information a copy of a memorandum from our organization's Washington, DC legal counsel which describes how the provisions set forth in SB 1425 are preempted by the Federal Meat Inspection Act and the Virus-Serum Toxin Act, and amendments thereto.

This week, leaders from the farms and ranches and dairies and feedlots across the United States met with packers and processors, feed manufactureres and renderers, scientists, microbiologists, researchers and government officials for two days in Fort Worth, Texas to discuss and take action about how to eliminate BSE infectivity from the U. S. beef herd, and how best to assure American consumers that commercial beef is safe because of the removal of any material that might carry the infectious agent.

It was the broad consensus that, by working together and supporting the USDA's surveillance program targeted at the population of bovine livestock that are old enough to have developed the infectious protein to a detectable level, we can get an accurate estimate of the prevalence of the disease in the United States. Dr. George Gray, the lead scientist from the Harvard Center for Risk Analysis, told us that tests only detect the infectious protein in its later stages, thereby reconfirming the scientific rationale underlying USDA's "test to find" surveillance plan.

BSE testing is designed to find and stamp out BSE infectivity in the U. S. cattle herd. The industry that I represent has taken major steps to assure the removal of infective material on a beef carcass, in compliance with interim emergency regulations announced by USDA on December 31. These steps include removal of potentially infective material, such as the spinal cord, the brain, parts of the intestine, the tonsils and eyes of cattle during the sanitary dressing procedures, all of which are conducted under USDA inspection oversight. A 1997 ban on feeding ruminant material back to ruminants is a major firewall to prevent the transfer of infected material to the bovine herd, and it is significant that the Washington State downer animal that tested positive was born in Canada before a similar feed ban in that country.

The industry that I represent strongly supports the Agriculture Secretary's increased surveillance plan announced earlier this month. It had been recommended to her by a

distinguished panel of international experts that evaluated the U. S. investigation of its first case of BSE and made recommendations to her. Again, it is targeted at the older bovine population most likely to have lived long enough to have the disease if they were exposed to it.

Any separate mandate for testing in California is likely to be subjected to the preemption of the federal laws. We urge a no vote on SB 1425, and that you instruct Californian officials who are responsible for public health and consumer safety to work closely and cooperatively with their federal counterparts in the plans announced by the Secretary of Agriculture.

Thank you very much.