



December 24, 2003 6:10 p.m. EST

UPDATE: US Congress Scuttled Curbs On 'Downed' Meat Sales

DOW JONES NEWSWIRES

(Adds comments from lawmakers, Daschle plea for the Bush administration to consult with nations that halted meat imports)

WASHINGTON (AP)--Legislation to keep meat from downed animals off U.S. kitchen tables was scuttled - for the second time in as many years - as Congress labored unsuccessfully earlier this month to pass a catchall agency spending bill.

Now, in the wake of the apparent discovery of the first mad-cow case in the U.S., the author of the House version of the cattle provision wants to press the issue anew when Congress returns Jan. 20 from its winter recess. The massive, \$373 billion spending bill covering several government agencies is still pending in the Senate.

"I said on the floor of the House that you will rue the day that because of the greed of the industry to make a few extra pennies from 130,000 head, the industry would sacrifice the safety of the American people," said Rep. Gary Ackerman, D-N.Y., chief House sponsor. "It's so pound foolish."

The provision dealing with downed cattle didn't even make it into the compromise version of the legislation that House and Senate conferees brought before Congress late in the year.

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The Agriculture Department estimates that 130,000 downed animals that are too injured or sick to stand or walk unassisted are slaughtered every year.

The provision, which started through the legislative process as an amendment to an agriculture spending bill, would have effectively prohibited the sale of livestock too sick or injured to stand or walk unassisted.

The agricultural spending bill passed - with the provision intact - on a Senate voice vote in November after failing by three votes in the House in July. But congressional negotiators didn't include it in the broader, \$373 billion omnibus spending bill that passed the House this month and which is still awaiting a vote in the Senate.

Rep. Maurice Hinchey, D-N.Y., a negotiator who voted for the measure in the House, said Democratic negotiators never had a chance to fight for the proposal.

"The Republicans, the leadership, shut off the conference, they closed it down, and this is one of a number of provisions which were handled in a backroom deal without the Democrats there and with only the Republican leadership," said Hinchey.

Lawmakers and congressional aides said they consider it very unlikely that Congress would reopen the multibillion-dollar bill to deal with the issue. "I can't imagine that it would be," Rep. Henry Bonilla, R-Texas, an opponent of the measure, said.

Sen. Tom Daschle, D-S.D., stated his support for the "highest quality beef in the safest system in the world." But the Democratic leader called on the Bush administration to consult with foreign leaders to reopen markets to U.S. exports.

"This is going to be a setback to the cattle industry, but it can be one that is contained. It does not have to result in any widespread panic in our country, because the likelihood of there being any effect on humans is extremely remote," said Sen. Thad Cochran, R-Miss.

A day after the government announced the first apparent case of mad cow disease in the U.S. - in a downed animal - lawmakers and interest groups on both sides of the issue said they had been vindicated.

The Humane Society of the United States has warned repeatedly that if the meat from a lone cow with the brain-wasting disease found its way into the food supply, other countries would cut off U.S. beef imports and consumer confidence would be shaken. "We are already seeing that play out," said Humane Society Vice President Wayne Pacelle. Japan, Taiwan and Mexico, the three largest importers, banned U.S. beef.

But opponents of the legislation said USDA inspectors might never have discovered the apparent presence of the disease, formally known as bovine spongiform encephalopathy, had Ackerman's legislation been in place.

Banning the sale of downed animals would prevent USDA inspectors from detecting possible cases because the animals would never reach the slaughterhouse for inspection, they said.

"The fact that it was caught is the significant thing for the consumer," said Rep. Charles Stenholm, D-Texas, the senior Democrat on the House Agriculture Committee. Stenholm has argued that federal inspectors are in the best position to keep sick animals, as opposed to those that can't walk but are otherwise healthy, out of the food chain.

Agriculture officials also have insisted that the food supply is safe because the animal parts most at risk of carrying the disease, the brain and spinal column, had been removed. "Muscle cuts of meat have almost no risk," Agriculture Secretary Ann Veneman said.

In the House, most Republicans as well as conservative and farm-state Democrats opposed the measure.

Both chambers passed similar provisions in their versions of the 2002 farm bill, but negotiators stripped the measure from the final version of that bill.

In both years, the National Milk Producers Federation lobbied successfully against the provision.

"If you don't allow movement off the farm, then you miss the opportunity to diagnose the problem," said Chris Galen, spokesman for the federation.

URL for this article:

http://online.wsj.com/article/0,,BT_CO_20031224_003786,00.html

Updated December 24, 2003 6:10 p.m.

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