



# Newsletter

**APRIL 2023**

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### *From the MCA President's Desk . . .*

I hope calving season is going well for everybody, and I want to thank the MCA members who have allowed me to serve as your MCA president. It's an honor to be your 'steward' of this office along with our dedicated board of directors.

Gilles Stockton deserves a huge thank you for his excellent service as past president for MCA. His writings, wisdom, and willingness to testify before Congress in Washington DC on our behalf (speaking 'truth to power' and letting our federal representatives and senators know how family farmers and ranchers are continuing to get 'squeezed' by the packers and other forces) has been invaluable for MCA.

Thanks to our board of directors for sharing their time and talent so this volunteer organization is able to provide value for our members and farm and ranch communities. I really appreciate Ken Morris representing us on the Montana Beef Council and keeping 'their feet to the fire' with our candid opinions and observations. You can be proud that MCA 'punches above our weight' considering that we're all volunteer and don't have lobbyists and all the expenses that requires. We welcome Tim Brunner as a new board member and his knowledge of the auction industry will be very helpful. Thanks to Brad Hamlett for his service in the legislature; his knowledge of water rights complements MCA Vice-President Wally Congdon's experience in that arena. Water rights are vital to us all, and MCA is committed to ensuring the preservation of those rights!

It was great to have Wally, Ken and Bruce attend Governor Gianforte's Agriculture conference in Helena on March 21 and to let our fellow Ag groups know we're also 'on the trail'. MCA has been busy testifying on bills before the legislature, advocating – again – Montana COOL and the 'Right to Repair'. These important issues have been opposed by the 'usual suspects' of grocers, Chamber of Commerce, Farm Bureau and Montana Stockgrowers. Unfortunately, those organizations again want to 'kick the can' back to Washington DC and do nothing here in Montana.

It's been a 'long ride' since I earned my degree in Agriculture from Purdue University, but that said, my cows don't care what 'sheepskin' I have—they just want that hay!! I am also a retired Army officer and I'm proud of my fellow veterans who also farm and ranch. My inspirations as a boy working on the family ranch was to do what I could to 'defend and feed' the Nation.

Finally, I am very grateful to Jan McDonald and Sharon McDonald who have kept the business of MCA operating steadily, and their work on the newsletters has been superb. Please do share the newsletter with friends and neighbors. It's got plenty of 'MEAT' on critical issues important to the success of the cattle industry. If you know anybody who'd like to help promote this great publication, we invite any and all advertisers.

Please refer to the sidebar for contact information for MCA's officers and directors. They welcome your thoughts, ideas and concerns, so don't hesitate to contact them.

Richard D. Liebert  
President, Montana Cattlemen's Association

# Farmers Pay Big Ag to Lobby Against Them

*The checkoff program, intended for marketing promotion but used as a slush fund for consolidated agricultural interests, is facing pressure for reform.*

BY LUKE GOLDSTEIN, THE AMERICAN PROSPECT

At the end of Barack Obama's presidency, two-term Secretary of Agriculture Tom Vilsack headed out for refuge in the private sector—a well-trodden path for ex-government officials. But in a sense, Vilsack never really left the orbit of the U.S. Department of Agriculture (USDA), which he now runs again under President Biden's administration. Vilsack landed a million-dollar position as the top-paid executive for the U.S. Dairy Export Council, an interest group that represents the largest dairy conglomerates. USDEC has drawn the ire of small dairy farmers for opposing country-of-origin labeling, and rigging trade deals to dump dairy products in global markets, which causes price volatility.

The U.S. Dairy Export Council may sound like a garden-variety trade association. What makes it unusual though, is that its primary funding source comes directly from a government program known as the checkoff, funded by a mandatory fee on farmers large and small. In fact, all of the most powerful trade groups in agriculture, from the National Cattlemen's Beef Association to the National Pork Producers Council, are bankrolled primarily by the checkoff program.

Checkoffs were originally intended to boost agricultural sales across sectors by paying for promotional campaigns, corporate partnerships, research, and product development. After decades of industry consolidation though, the large meatpackers and dairy processors control the labyrinthine chain of state councils and national boards that distribute the funds to contractors, most of which are lobbying groups in Washington. Checkoff dollars have become a slush fund captured by Big Ag to advance its own interests and crush any reforms to help small farmers using their own earnings.

Secretary Vilsack and Congress are now facing pressure to reform the program from a collection of over 130 groups representing small farmers, anti-monopolists, and animal welfare advocates. This week, the coalition sent a letter to Congress in support of the Opportunities for Fairness in Farming (OFF) Act, recently introduced by Sens. Cory Booker (D-NJ) and Mike Lee (R-UT), to bring oversight to the program and restrict any checkoff funds from going to lobbying groups. The legislation will face a forceful pushback from the very industry groups that rake in the vast majority of checkoff dollars and routinely block any reforms.

"America's farmers and ranchers are tired of their checkoff tax dollars being funneled through the government and into the hands of trade and lobbying groups that work against fair competition and market transparency," said Angela Huffman, vice president of Farm Action Fund.

**THE PROGRAM DATES BACK** to the 1980s farm crisis, though some versions of a checkoff fee existed earlier for cotton. The theory was that the slump in agriculture at the time required a coordinated effort by farmers to boost overall consumer demand for meat and dairy products, which would benefit all players in the industry.

The original ad campaigns paid for by the checkoff would end up defining the branding of several industries in the 1990s and 2000s. They include notorious marketing campaigns like "Beef: It's What's for Dinner," as well as "Milk: It Does a Body Good."

The market problems that led to the creation of the checkoff are completely inverted today. While the original goal was to increase consumption, now overproduction in agriculture to meet demand is leading to plummeting commodity prices. Only large packers and dairy processors producing at a massive industrial scale can weather those conditions.

At first, farmers voluntarily made payments into the fund, and were afforded some accountability on the use of these funds. If farmers didn't

approve of the allocation of funds, they could stop paying. But shortly after its inception, agricultural interests cajoled Congress into making the fees mandatory across sectors, a measure that legislators are now trying to roll back.

The checkoff program increasingly turned into a racket as the agriculture industry consolidated. The four largest meatpackers rolled up the market, forcing farmers into exploitative contracts, and horizontally expanding their own direct control of feedlots and hatcheries. In dairy, the four largest co-ops, led by Dairy Farmers of America, capture well over 50 percent of the market.

When the industry concentrated, checkoff soon became a tool for aiding ag monopolies, to the detriment of the small farmers who were paying into the program. Many farmers have attacked the long-standing promotional campaigns for product disparagement and even government-compelled speech. Critics of the checkoff took the program all the way to the Supreme Court in a 2005 First Amendment case. They lost, though similar cases continue to be filed and are currently making their way through lower courts.

A common disparagement case by farmers takes aim at the pork checkoff board's contracts to develop its pioneering slogan "Pork. The Other White Meat," which is still used to this day. In the latter half of the 20th century, Tyson Foods, one of the largest meat processors, successfully ramped up chicken sales in part by bombarding consumers with industry-funded research that it was significantly healthier than red meat. The slogan "The Other White Meat" was meant to help pork producers compete against chicken. The problem is that many independent farmers who helped pay for the slogan make their business from artisanal marbled coloring hogs. Farmers censured the pork checkoff board for disparagement of product using their own dollars, and have routinely taken legal action.

The beef checkoff faces a similar predicament with its "Beef: It's What's for Dinner" branding. By promoting beef through generic marketing, the ad campaign homogenizes the commodity.

"That slogan trains consumers to see all beef the same and then just look for the lowest costs, rather than allowing for domestic submarkets to develop which would benefit the independent owners," said David Muraskin, the food project litigation director at Public Justice.

**ALONG WITH PROMOTIONAL CAMPAIGNS**, checkoff dollars also support corporate partnerships. Checkoff boards work with fast-food chains to develop new menu items that bolster dairy or meat sales, for example. Not only do these deals harm public health, but they only benefit large ag producers that can supply the bulk orders at low costs that fast-food chains require of their suppliers. Through contracts with Dairy Management Inc., the dairy checkoff recently used funds to develop extra cheese pizza at Domino's and new dairy drinks at McDonald's.

One of the dairy checkoff's corporate sponsorships helped support the research and marketing for a new ultra-filtered milk product at the company Fairlife that was supposed to compete with protein drinks. After the rollout of the "revolutionary" product, supported by farmers' dollars, the dairy giant Select Milk Producers helped fully sell off Fairlife to Coca-Cola in 2014.

"I paid for the development of that product and then Select Milk just pocketed my money and took the profit from that," said Sarah Lloyd, an independent dairy farmer in Wisconsin who sat on the state checkoff board when they voted to approve the product development at Fairlife.

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The OFF Act would bring more transparency to how checkoff funds are distributed. A Government Accountability Office report from 2017 raised red flags about the lack of USDA oversight of the checkoff program and recommended a number of transparency reforms. None of those measures have been taken up under Vilsack's tenure.

The OFF Act's other main objective is to limit the self-dealing of checkoff board members and lobbyists. The recipients of checkoff dollars are technically not allowed to use the funds for direct lobbying. But those restrictions have eroded over time and also don't hold up under close scrutiny. The National Cattlemen's Beef Association is a prime example of how trade groups corrupt the program. NCBA takes in the lion's share of the beef checkoff program, worth around \$45 million, and taps the fund for most of its operating budget. It's self-evident that by taking funding from the checkoff program, NCBA can cross-subsidize its administrative, advocacy, and lobbying arms, which all exist under the same roof.

"Without the checkoff dollars, you wouldn't have the NCBA in its current form, so it's ridiculous to take at face value that this lobbying firewall really works," said Bill Bullard, the CEO of R-CALF, a group representing independent cattle ranchers.

Because of a lack of transparency, information isn't made available to farmers who pay for the program about the full extent of the contractor's business operations. The NCBA routinely holds conferences and fly-ins attended by its own lobbyists and lawmakers, even though they don't qualify as on-the-books lobbying.

**SINCE THE NCBA BEGAN ADMINISTERING** the checkoff boards, the U.S. has lost nearly half of its cattle producers, and the four largest meatpacking corporations captured 80 percent of the market. NCBA plays an active role in setting the conditions for the continued rollout of agriculture.

The fight over country-of-origin labeling (COOL) became a flashpoint for the conflicts of interest at the heart of the checkoff program. While raking in funds from small farmers, NCBA lobbied to repeal COOL in 2015, one of the few protections at the time for independent ranchers. Large meatpackers prefer to go to foreign sourcing for cattle to cut costs despite the worse quality of meat and the environmental effects of transportation. Small-scale ranchers who raise cattle humanely and with better sustainable practices want labels to distinguish their products. This March, the USDA announced a proposed rule to strengthen the voluntary "Product of USA" labels that certain farmers choose to put on their products. A full return of COOL, however, is not on the table and would likely face legal challenges through the World Trade Organization.

NCBA has also submitted public comments opposing the USDA's proposed revamp of the Packers and Stockyards Act, a major piece of antitrust legislation that allows the department to break up the large meatpackers. NCBA is also lobbying against market reform legislation that would require meat processors to source over 50 percent of their cattle from independent producers.

While Secretary Vilsack has made curbing greenhouse gas emissions one of the USDA's priorities, NCBA continues to receive both department grants and checkoff funding despite its lobbying efforts against environmental reforms. NCBA regularly funds research that throws into doubt the impacts of industrial farming on climate change, and helped kill the 2009 Waxman-Markey cap-and-trade bill. NCBA is currently working to water down a proposed Securities and Exchange Commission rule that would mandate greenhouse gas disclosures from publicly traded companies.

Under the OFF Act, NCBA could be cut off from receiving checkoff dollars entirely and at the very least would be forced to open its books to routine inspections. That would amount to a major overhaul of the program and victory for small farmers, if advocates can fight to include it in this year's farm bill.

## GREAT NEWS: CATTLE ARE NOT HUGE PRODUCERS OF METHANE

*This is the latest EPA estimates. These are percentages from U.S. total GHG emissions. Also note this is data from all livestock not just cattle. According to this, cattle emitting methane, are creating less than 3% of total green house gas emissions in the U.S. This is a huge reduction from the 30% or more that was attributed to cattle when we first heard about green house gas and global warming.*

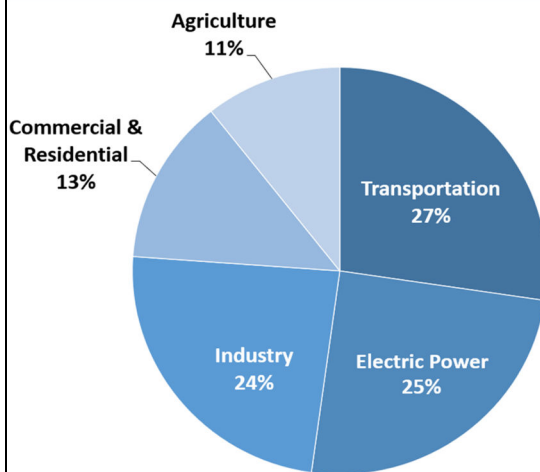
Agricultural activities — crop and livestock production for food — contribute to emissions in a variety of ways:

- Various management practices on agricultural soils can lead to increased availability of nitrogen in the soil and result in emissions of nitrous oxide (N<sub>2</sub>O). Specific activities that contribute to N<sub>2</sub>O emissions from agricultural lands include the application of synthetic and organic fertilizers, the growth of nitrogen-fixing crops, the drainage of organic soils, and irrigation practices. Management of agricultural soils accounts for just over half of the greenhouse gas emissions from the Agriculture economic sector.\*
- Livestock, especially ruminants such as cattle, produce methane (CH<sub>4</sub>) as part of their normal digestive processes. This process is called enteric fermentation, and it represents over a quarter of the emissions from the Agriculture economic sector.
- The way in which manure from livestock is managed also contributes to CH<sub>4</sub> and N<sub>2</sub>O emissions. Different manure treatment and storage methods affect how much of these greenhouse gases are produced. Manure management accounts for about 12% of the total greenhouse gas emissions from the Agriculture economic sector in the United States.
- Smaller sources of agricultural emissions include CO<sub>2</sub> from liming and urea application, CH<sub>4</sub> from rice cultivation, and burning crop residues, which produces CH<sub>4</sub> and N<sub>2</sub>O.

More information about emissions from agriculture can be found in the agriculture chapter in the [Inventory of U.S. Greenhouse Gas Emissions and Sinks](#).

\* Management of croplands and grasslands can also lead to emissions or sequestration of carbon dioxide (CO<sub>2</sub>). These emissions and removals are included under the [Land Use, Land-Use Change, and Forestry sector](#).

### Total U.S. Greenhouse Gas Emissions by Economic Sector in 2020



U.S. Environmental Protection Agency (2022). Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2020

Total Emissions in 2020 = 5,981 [Million Metric Tons of CO<sub>2</sub> equivalent](#). Percentages may not add up to 100% due to independent rounding.

\* Land Use, Land-Use Change, and Forestry in the United States is a net sink and removes approximately 13% of these greenhouse gas emissions. This net sink is not shown in the above diagram. All emission estimates from the [Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2020](#).



# PRODUCERS REACT TO FINDINGS OF 'MAD COW' IN BRAZIL'S COWHERD

*By: Ryan Gamboa, KRTV Great Falls*

Foreign entities continue to make their presence known in the United States agricultural food market. Brazilian beef exports to China were halted after a case of Mad Cow disease was confirmed in Brazil's northern state of Para. The concern of the South American beef giant reporting cases of BSE, Bovine Spongiform Encephalopathy, has prompted legislators to re-implement bipartisan legislation that would halt Brazil's imports.

"We need to keep looking at what the Brazilians are doing and making sure that they're playing by the rules like everyone else," explained John Grande, President of the Montana Stockgrowers Association.

According to the USDA, in January of 2022, Brazil's imports of beef were up 500%, tallying nearly 100 million pounds of beef.

"Because they've had cases reported in Brazil. That does not mean that our beef supply is in any way unsafe. The United States has some of the strictest, most careful standards for safe beef in the world. Anything that we know of this situation at this point doesn't change that," Grande shared.

Brazil is a major contributor to the world trade of beef, and Grande explained that most of the beef imported to the United States comes in the form of cooked beef, specifically chili. With the United States' regulations on monitoring disease in foreign beef, there is no room for spoiled products to fall through the cracks.

Grande added, "While this isolated incident may not be a huge deal. Whether they're following the rules and being a responsible player, that is a big deal because it could be very huge, if one of these other things like foot and mouth disease were to drop off."

The concern comes from United States cattle producers, dodging BSE, foot and mouth disease, and African Swine Fever. Avoiding the spread of these diseases is vital and if they were to spread, it could be detrimental to herds across the country.

United States Senator Jon Tester and Republican Senator from South Dakota Mike Rounds are reintroducing bipartisan legislation to ban Brazil's imports of beef.

Senator Tester shared a statement with MTN News:

"As a third-generation farmer, I have

repeatedly demanded that America stop accepting beef from Brazil. Our ranchers here in Montana raise the best beef and consumers can trust that it is safe. I am proud to be working with my friend, Republican Senator Mike Rounds, to block Brazilian beef imports until they can prove that their products meet our health and safety standards. I'll take on anyone, at home and abroad, to ensure that Montana producers aren't cut out of the market by foreign corporations who aren't following the rules."

On the other side of the aisle, Senator Steve Daines also feels strongly about how the Biden Administration has allowed the United States to fall behind China in world trade. He shared a statement saying this:

"On behalf of Montana's cattle producers, I am furious that the Biden administration has not halted beef imports from Brazil when they know Brazil continues to find cases of Mad Cow disease in its herds. To make matters worse, Brazil is not exporting its beef to China so once again, the Biden administration continues to be outpaced by the Chinese on matters of national security and now agriculture. The president has the authority to ban Brazilian beef today. He should do it."

Despite what federal lawmakers remark on the recurring issue, producers in Montana feel strongly about what BSE findings say about the cattle industry.

Jan McDonald is the Treasurer of the Montana Cattlemen's Association and a producer who runs 1,200 acres of pastureland near Fairfield.

"It's a proven fact that I don't know that there's another country that produces the quality of beef that the United States does. The future of agriculture is not really promising," She said.

McDonald, Montana Cattlemen's Association, and other producers and organizations alike, advocate for Country-of-Origin Labeling (COOL).

"Educate the consumer as to the situation. If you're walking down the street and just talk to anybody and say, 'do you know what you buy when you go to the grocery store?' They'll say, they haven't got a clue. You go to the restaurant, and you ask them where their beef was raised from. They can't tell you. We feel that people have the right to know."

Montana Farmers Union is a major proponent, along with Senator Tester for Country-of-Origin Labeling.

President of Montana Farmers Union, Walter Schweitzer said in a press release, "The announcement of yet another Mad Cow case in Brazil emphasizes the need for mandatory country of origin labeling."

Bills introduced to ban the import of Brazilian beef were introduced in November 2021, after delayed reporting cases of atypical BSE. The Northern Ag Network reported the senators said it is a routine occurrence with Brazil waiting months or years to report similar cases in 2019, 2014, and 2012.

Grande, who represents the Montana Stockgrowers Association believes that COOL would not be a fix-all solution, and it's a personal choice of the consumer knowing if their beef is a product of Mexico, Canada, or the United States. A marketing issue that needs to be worked out with the USDA and other organizations that handle label marketing.

While McDonald, who represents small producers and Montana Cattlemen's Association says the consumer should have to opportunity to know where their dollar spent on beef is raised.

The United States currently does not require beef and pork to provide origin labeling on products. Currently, no cases of BSE have been reported in the United States. With Brazil showing constant negligence in reporting cases of Mad Cow, it is a cover of lenient food safety procedures.

The concern still lies in exposing American cattle herds to Foot and Mouth Disease and African Swine Fever.

In a study done by Iowa State University, humans who eat BSE-contaminated beef products can develop a disease called, variant Creutzfeldt-Jakob disease (vCJD). The disease is labeled a "variant" to distinguish it from a different disease found in humans called classic Creutzfeldt-Jakob disease (CJD). If a human were to contract such issues, as the disease progresses, incoordination and dementia develop, followed by coma and death.

The risk of acquiring vCJD in the United States is extremely low. The United States has regulations to prevent BSE-infected beef from entering the market. According to Iowa State University, milk, and other milk-based products are thought to be safe.

# Will the Last Independent Cattle Producer Please Turn Off the Lights

*Op-Ed by Gilles Stockton, MCA Director*

It was inevitable that this day would come. Tyson Foods has now turned its corporate attention to absorbing independent cow/calf ranchers. Tyson pioneered the factory farm system for raising chickens, in the process turning independent poultry growers into corporate serfs. By 1985 it was the independent hog producers turn to be converted into corporate serfdom. In just a decade and a half (1985 to 2000), the hog industry went from 388,550 independent producers to 85,760 serfs. Today, twenty-three years later, there are only 66,000 left.

Independent cattle feeders were next. In the last ten years 48,000 independent feedlots stopped buying calves. Today only a little more than 25,000 are still trying to feed cattle and not lose money in the process. They survive by marketing through "captive supply." And while the smaller independents closed their yards, the number of vertically integrated feedlots with more than 50,000 head capacity increased from forty-five to seventy-seven.

Tyson now has their corporate claws sharpened and out to eliminate independent ranchers. On March 31, the day before April Fool's Day, Tyson explained their new vertical integration plan to a group of ranchers at Great Falls, Montana. This plan involves a corporate owned branded beef product called "Brazen Beef" which will market source verified beef that somehow - but not explained - will result in ten percent fewer greenhouse gas emissions.

According to ranchers who attended the meeting, the presentation was vague on how the feeder calves would be priced. Tyson's claim is that producers would get a premium and a report on the carcass characteristics of their particular animals. This seems to be a version of "grade and steal" where you don't get paid until the calves are dead and in the meat counter at the supermarket.

There is nothing new in this scheme, as there are a number of branded programs available to producers. And there is nothing wrong in a rancher signing up for such a concept, particularly if there is a nickel or two to be made. The concern is that this is one of the big four packers who is muscling in on the business.

Therefore, the issue of how the price for the calves will be determined becomes really important. The cow/calf segment of the cattle industry has stayed independent because we rely upon an independent price discovery mechanism. Auction yards and video auctions are the bedrock of this system. Of course many calves move on private treaty, negotiated directly with the cattle buyers, but those prices are always based on the most recent auction.

If we lose the auctions then we lose our independence. Ask the hog producers, because that is what happened to them. The contracts they were offered were attractive up and to the day the auctions for pigs disappeared. This is a real dilemma. How do we protect our independent price discovery mechanisms in the face of what will be a growing trend to sign up for a branded beef program offered by one of big four packers?

The lack of an honest competitive price discovery is what is being faced by the surviving independent feedlot owners, who now sell into the "captive supply" system. The negotiated spot market, which is supposed to set the value for all of the fat cattle, is so thin as to be useless.

Cow/calf producers are, of course, equally affected by this dysfunctional negotiated spot market for fat cattle, but we just feel it less because it is more remote from our daily marketing concerns. And the big reason we feel it less is that we still have our own market system that is independently owned and operated. This auction system moves enough calves that we can be confident that this results in reasonably fair price discovery. But you can also be sure that the people bidding on your calves are acutely aware of the dysfunction in the fat cattle market.

By all means sign up for Tyson's program or that of JBS, Cargill, or Marfrig if their terms fit your needs. But if as an industry we do not come together on a plan to protect the independent nature of ranching, then we had better get used to the idea of being nothing more than a corporate serf. Or as I heard one contract hog producer say - a janitor cleaning up the waste left behind.

**ANNUAL MEMBERSHIP RENEWALS WERE DUE JANUARY 1, 2023. IF YOU HAVE NOT YET RENEWED YOUR DUES, PLEASE COMPLETE THE FORM BELOW OR RENEW ONLINE AT: [mca@montanacattlemen.org](mailto:mca@montanacattlemen.org)/Membership**

### ***Why should I be a part of MCA?***

MCA was formed in the 1950's to represent Montana cattle producers on issues vital to the future of our industry. MCA is a producer-driven, grassroots, all volunteer organization committed to ensuring profitability for you and your family as well as for future generations. Our goal is to effectively address the concerns of Montana cattle producers, both statewide and nationally, and we need your input to continue to do so.

Name: \_\_\_\_\_

Spouse Name (if joining): \_\_\_\_\_

Ranch Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Own cattle: \_\_\_\_ Yes \_\_\_\_ No

Tribal member: \_\_\_\_ Yes \_\_\_\_ No

⋮

#### **Membership Dues:**

Cattle Producer ~ \$50 \_\_\_\_\_

Associate Member ~ \$50 \_\_\_\_\_

College Student ~ \$25 \_\_\_\_\_

Junior Member ~ \$25 \_\_\_\_\_  
(Age 18 & younger)

#### **OR ~ Optional Premier Memberships:**

Gene Autry level ~ \$100 per year \_\_\_\_\_

Roy Rogers level ~ \$150 per year \_\_\_\_\_

John Wayne level ~ \$200 per year \_\_\_\_\_

Additional Optional Contribution \_\_\_\_\_

**TOTAL AMOUNT SUBMITTED:**    \$ \_\_\_\_\_

*Only members owning cattle have voting rights ~ One member—one vote  
Associate members do not own cattle but are supportive of MCA goals*

Join online at [www.montanacattlemen.org](http://www.montanacattlemen.org) ~ OR ~ mail this completed form along with your check to:

**MONTANA CATTLEMEN'S ASSOCIATION  
P.O. Box 536 ~ Vaughn, MT 59487**

Please make copies of this membership form for multiple memberships or to share with your friends and neighbors.

***Your continued support of Montana Cattlemen's Association is very much appreciated!***

# Electronic Ear Tags – Again!

**By Gilles Stockton, Montana Cattlemen's Assn. Director**

Once again the Department of Agriculture (USDA) is insisting that cattle in interstate commerce be identified with an electronic ear tag (EID). (see: *Use of Electronic Identification Eartags as Official Identification in Cattle and Bison. Federal Register. Vol. 88, No 12, January 19, 2023. Page 3320*) As in the many previous attempts to impose this on cattle producers, they claim that it is necessary to respond to the introduction of Foot and Mouth Disease (FMD).

What USDA does not explain is how will having the millions of cattle moving interstate and identified with an expensive EID tag actually contribute to the control of a FMD outbreak. Obviously, it will take a lot more than just an ear tag to successfully stop FMD - if that is even possible. First off, why are we importing fresh meat from countries with endemic FMD? Someone benefits from this commerce, and it is not the American cattle producers. Shouldn't prevention be the first line of defense?

FMD is a very infectious, fast developing disease, with twenty-five different variants, each needing its own vaccine. It affects all cloven-hoofed animals including whitetail deer and feral pigs. Before you even know your herd is infected, up to two weeks will have passed. Samples from infected animals would be sent to a special lab to identify the variant, requiring more time to pass before the proper vaccine can be ordered. And then it takes a minimum of two more weeks to unfreeze and prepare the vaccine for administration.

The point is that under the most optimistic of scenarios it will take at least five weeks to even vaccinate the first animal. Of what possible benefit would it have been to have electronically identified cattle in anticipation of a future outbreak of FMD? In all probability veterinary authorities, once they have identified FMD, will stop all movement of livestock and then watch for clinical symptoms to appear. The initial surveillance phase will include all herds of cloven-hoofed animals everywhere in the United States, Canada, and Mexico.

Once they can start to vaccinate, the hope is to contain the disease in pockets. We can assume that all the vaccinated animals will be identified with an ear tag – EID or conventional. But having cattle pre-tagged would have been a waste of time and money, because knowing from where a cow came is not useful. Only the appearance of clinical symptoms is meaningful.

The current requirements for identification of cattle moving interstate are working, as evidenced by the fact that the state and federal veterinarians are successfully tracking down the outbreaks of tuberculosis. While here in the mountain states, they are also on top of brucellosis. If a cow has a registered brand, a metal bangs tag, and a legible tattooed shield in the ear, that should be enough. Yes, when vaccinating for brucellosis the vet can put in one of the official EID tags. But will that tag still be in the ear ten or twelve years later when you sell that cow? The metal tag may or may not make it that long, but the EID tag most probably will not.

Ultimately, USDA wants all cattle electronically identified. But so far they still exempt beef feeder cattle under eighteen months of age. However, this time they propose that all dairy feeder cattle be tagged. Dairy cows are already required to have tags. If I was a dairy farmer, I would probably use an electronic identification record keeping system, so that is not a major issue for some. But is it legitimate to require that the crossbred dairy feeder cattle also be identified? I am not so sure. I fear that once they require that dairy feeders are tagged, it won't be long before they insist that all feeder cattle are EID tagged.

We risk importing FMD because our government's trade policies favor beef importers over the well-being of our domestic cattle producers. The same can be said for tuberculosis. If our country continues to allow cattle from Mexico, we will be responding to outbreaks of TB forever. The current traceability regulations are obviously working although I am sure that this system is tedious and frustrating for those tasked to implement it. Nevertheless, veterinary authorities have been able to stay ahead of TB. Perhaps what they actually need are more clerical staff. Whatever!

When it comes to brucellosis, we have the National Park Service to thank. If there was a will, there would be a way to vaccinate Yellowstone

Park's bison, and this country would be rid of that source of brucellosis. After all there are only about 5000 head of buffalo in Yellowstone Park. However, elk would still be carrying brucellosis. If their overpopulation was dealt with, maybe that risk would also be reduced.

Another interesting fact is that this rule making makes no requirements of the beef packers or importers of beef. Only U.S. producers are required to work their cattle, insert expensive EID tags, and keep records. Obviously, in the slaughterhouse identification (electronic or not) needs to stay correlated to the carcass and the meat cuts in question or else the whole exercise is useless. It is my understanding that packers are only required to keep identity to the point that the carcass has been cleared by an inspector.

In this opinion piece I have focused on addressing animal diseases such as FMD, but what about food born illnesses such as salmonella when beef may be contaminated with feces in the slaughter process. Since USDA proposes to identify animals to their source, shouldn't they also require that the chain of identity continues to the meat counter? Consumers should have the choice of buying beef born on my ranch in Montana versus beef from what had been the Amazon rainforest in Brazil. And if anyone gets sick, the slaughter plant in question should be held accountable.

This brings up the principal of equivalency. Production and slaughter processes in the counties that export beef to the United States are supposed to be equivalent to ours. Will foreign producers also be required to identify their cattle with EID tags and will the packer/importers be required to track that information to the retail level? Clearly, we producers in the U.S. feel cheated by the supposition that livestock production and slaughter in Brazil and Nicaragua is equivalent to ours. Obviously, American inspectors are not standing on the slaughter lines in those countries. Who is, and are they meeting the equivalent standards that are supposed to be happening here?

Finally, as carcasses pass inspection and move on to retail, the ID number should be retired. It is my understanding that Australia made themselves a mess with their EID system and now have an entire herd of "ghost" cattle. This USDA rulemaking makes no requirement as to the final disposition of the identification information. In fact, USDA is rather weak on the whole issue of where this ID information is kept and who has access to that information. In practice this whole EID mandate relies heavily on private veterinarians. I would suggest that any veterinarian reading this take a look at this proposed rule and see if you are comfortable with it.

It has been about twenty years now that USDA has been obsessed with imposing EID on the cattle industry. You would think that given that time frame they would have been able to come up with a fully workable plan. Perhaps they feel that it is easier to require producers to pay for EID tags than ask Congress to fund a proper system capable of actually responding to an outbreak of a foreign animal disease such as FMD.

Cattle producers understand the need for a reliable and efficient system capable of controlling an introduced disease, and FMD is not the only one out there that could cause us trouble. But requiring producers to use EID tags without assuring us-the other necessary bits and pieces of the system are in place is not a good way for USDA to get our support.

USDA tells us that currently it takes weeks or months to trace down TB infected herds. But nearly all dairies already use EID tags, so what is the problem, at least when concerning dairy cows? Many beef producers also use electronic tag record keeping systems. It is coming voluntarily so why mandate it? Maybe an incentive to use EID technology would be in order?

Still sometimes the old ways are the best ways. Here in Montana they recently had a TB incident in a beef cow herd. The State Veterinarian put a whole lot of resources to control it and apparently one of the most useful forms of identification was the hot iron brand. My point is that most cattle producers are willing to comply with animal identification requirements if USDA can show that they have a plan that covers all the bases and that it will be worth the time and investment.

# Montana Cattlemen's Association joins 130 organizations in OFF Act support letter to Congress

March 29, 2023

The Honorable Debbie Stabenow, Chairwoman  
Senate Committee on Agriculture, Nutrition, & Forestry  
United States Senate  
Washington D.C.

The Honorable John Boozman, Ranking Member  
Senate Committee on Agriculture, Nutrition, & Forestry  
United States Senate  
Washington D.C.

The Honorable Glenn "GT" Thompson, Chairman  
House Committee on Agriculture  
United States House of Representatives  
Washington D.C.

The Honorable David Scott, Ranking Member  
House Committee on Agriculture  
United States House of Representatives  
Washington D.C.

Dear Chairwoman Stabenow, Chairman Thompson, Ranking Member Boozman, and Ranking Member Scott:

We, the 131 undersigned organizations, request your support in enacting meaningful reforms to our nation's checkoff programs. Checkoff programs are mandatory participation programs under the U.S. Department of Agriculture, many of which have been directly established by Congress. These programs are funded through compulsory fees on producers of milk, eggs, beef, pork, and many other commodities.

Several of these programs and associated boards have well-documented histories of waste, conflicts of interest, misuse of funding, anti-competitive behavior, and other related issues. For these reasons, farmers and ranchers across the country have grown disillusioned with the effectiveness of many of these checkoff programs as they operate today.

Programs entrusted with the hard-earned dollars of America's family farmers and ranchers should maintain the highest levels of integrity and transparency. The Opportunities for Fairness in Farming Act (S.557 and H.R.1249) is critical to restoring a minimum level of oversight. This legislation would create appropriate safeguards to prevent conflicts of interest, give producers clarity about how their money is spent, and reduce opportunity for abuse through regular audits.

Specifically, the bill would:

- Prohibit checkoff programs from contracting with any organization that lobbies on agricultural policy.
- Prohibit employees and agents of the checkoff boards from engaging in activities that may involve a conflict of interest.
- Establish uniform standards for checkoff programs that prohibit anti-competitive activity, unfair or deceptive acts, or any act or practice that may be disparaging to another agricultural commodity or product.
- Require transparency through the publication of checkoff program budgets and expenditures.
- Require periodic audits of compliance with the Act by the USDA Inspector General.

As you draft the 2023 Farm Bill, we urge you to include the Opportunities for Fairness in Farming Act (S.557 and H.R.1249) as an essential reform to provide transparency and accountability in commodity checkoff programs.

Sincerely,

( Signed by 131 nationwide organizations, including Montana Cattlemen's Association)



# Scandal-ridden Slush Funds, USDA Commodity Checkoffs Under Fire

*Sens. Mike Lee, Rand Paul, Cory Booker, Elizabeth Warren, Kirsten Gillibrand,  
and Reps. Nancy Mace and Dina Titus  
Introduce Reform Bill*

By Marty Irby, Executive Director at Animal Wellness Action in Washington DC, and a Director at OCM

It's been a tough few years for family farmers in the livestock business, but most folks don't really understand the root of the problem, and it's not necessarily inflation, supply chain problems, or the current state of our crippled economy. Industrial agriculture, or "Big Ag" as we like to call it, is sucking up the hard-earned dollars of family farmers and using those funds to lobby against the interests of the very people it purports to represent.

To be precise, I am writing about Big Ag's big secret — a series of U.S. Dept. of Agriculture (USDA) Commodity Checkoff Programs for beef, pork, dairy, and other commodities. Under these programs, struggling farmers are forced to hand over part of their proceeds and watch them placed into the pockets of trade organizations that pay their top executives six figure salaries. It's the worst kind of taxation — one where the payer gets nothing in return. Major trade associations like the National Cattlemen's Beef Association (NCBA) and the National Dairy Promotion and Research Board divert checkoff dollars that by law are restricted to commodity marketing programs and research, and instead use a large portion of the money for hefty salaries, prime office locations, and high-priced lobbyists.

And that includes lobbyists who push for policies that often hurt both family farmers and animals — opposing Country of Origin Labeling (COOL), fighting efforts to stop the extreme confinement of animals on factory farms, promoting the use of antibiotics that threaten public health, and blocking the growth of the organic sector.

To make it worse, U.S. Secretary of Agriculture Tom Vilsack — a former Democrat Governor of Iowa — served for eight years under President Obama and left his tenure at the end of that Administration to work for a dairy checkoff affiliate for nearly \$1 million per year. And as it often goes here in the swamp, Vilsack returned four years later to the same post under Joe Biden. The revolving door and potential conflicts of interest with Vilsack have raised eyebrows around the globe.

Report after report has consistently revealed the unethical and illegal re-routing of checkoff resources year after year under both Republican and Democrat Administrations. And those scandals brought to light by Politico and The Daily Caller occurred when Vilsack was Secretary the first time.

But there is hope: On February 28, Sens. Mike Lee, R-Utah, Cory Booker, D-N.J., Rand Paul, R-Ky., Elizabeth Warren, D-Mass., and Kirsten Gillibrand, D-N.Y., along with Reps. Nancy Mace, R-S.C., and Dina Titus, D-Nev., introduced the Opportunities for Fairness in Farming (OFF) Act, H.R. 1249/S. 557, to bring transparency and accountability to USDA's broken checkoff programs.

The bill doesn't seek to abolish the checkoff programs, as Big Ag beneficiaries are misrepresenting, but would instead simply require transparency and accountability and would prohibit checkoff funds from being used for lobbying. The OFF Act also would prohibit funds from being used to pay for staff and programs of trade associations that favor multinational

corporations and push independent farmers out of business. And it would prevent disparagement of one product over another, because allowing the federal government to pick winners and losers in the marketplace is unacceptable.

Right now, funds from checkoff programs benefit industry groups that promote frightening levels of market consolidation and anticompetitive practices in production agriculture, and that does nothing to help the family farmers forced to pay into the program. For example, NCBA and other Big Ag groups pushed for the dissolution of programs designed to prevent price-fixing at the packing houses. Producers are thus forced to accept prices imposed by the global meat cartels, such as JBS from Brazil and Smithfield from China, that make it impossible to compete with cheaper, suspect products from overseas. American producers and consumers alike should be outraged that the NCBA, a U.S.-based beef industry group, is doing the bidding of giant multinational corporations instead of hard-working American farmers and ranchers. NCBA also does the bidding of those same foreign corporations in opposing rules to let consumers know where their meat was raised and processed. As a result of their nefarious efforts, the beef labeled as "Made in the USA" may have been produced in South America or Africa and merely packaged in the USA.

The effort for checkoff reform is supported by more than 80 farm organizations, including the Organization for Competitive Markets, the National Farmers Union, and R-CALF, representing over 250,000 family farmers and ranchers, alongside groups like the Heritage Foundation, R Street, and even the National Taxpayers Union.

Supporters of the bill are calling on Congress to take a second look at the broken and corrupt commodity checkoff programs — and hold Congressional hearings on the OFF Act to open the checkoff books to the public. They're also calling for leaders on the House and Senate Agriculture Committee to include the OFF Act in the upcoming must-pass Farm Bill, set to be taken up later this year. And with Rep. Mace now holding an Oversight Subcommittee gavel, those hearings may finally be possible.

Let us be reminded of what President Abraham Lincoln said in 1864, two and a half years after he established the Department of Agriculture, in what was his final address to the Congress: "The Agricultural Department, under the supervision of its present energetic and faithful head, is rapidly commending itself to the great and vital interest it was created to advance. It is precisely the people's Department, in which they feel more directly concerned than in any other. I commend it to the continued attention and fostering care of Congress."

That's clearly not the USDA we see today, and that's clearly not the USDA that Big Ag wants in Washington. As Rep. Mace said: "Anyone who opposes this legislation makes you wonder what they might actually have to hide."

# Policy for the Restoration of Wild Bison on Federal Lands

Op-Ed by Gilles Stockton

On March 3<sup>rd</sup> the Department of Interior (DOI) released Order No. 3410 to promote a policy for the restoration of wild bison on Federal lands (*see below*). It is not hard to read between the lines of this order that what is envisioned is to link the bison in the Fort Peck Reservation with those of Fort Belknap through the lands controlled by the APR, with the Charles M Russell Wildlife Refuge and the Upper Missouri Monument thrown in for good measure. This would clearly be a disaster for the adjoining ranchers and for the communities in which we live.

There is, however, a rather simple countermeasure. The State of Montana can pass a statute that declares that all bison which are subject to the jurisdiction of the state shall be classified as livestock. Under Montana law, bison can be either wildlife or livestock. In Montana there are in the neighborhood of eighty herds of bison classified as livestock and only the one herd, those of Yellowstone Park, classified as wildlife.

The Department of Interior can try to impose wild bison in the CMR and other Federal lands, but the policies for managing these Federal lands are subject to consent from the state and affected counties. If the state had a clear policy opposing the introduction of wild bison, it would be difficult for the DOI to prevail.

As for the bison herds on the reservations, the tribal governments can call them wild or anything else they like as long as they are within the boundaries of the reservations. Outside of the reservation those bison already come under the jurisdiction of the Montana Department of Livestock. Strays must be rounded up, transfers to other owners require brand inspections, and when moved out of state veterinary certification must be performed.

Many around here don't seem to appreciate the victory achieved when the APR (American Prairie Reserve) acknowledged that their bison are livestock and therefore subject to all of the regulations regarding livestock in Montana. This is big. In addition, many question that the APR should be allowed to run their bison on BLM. Personally, I don't like to interfere with what a neighbor can or cannot do on their own property, including leased property. But if APR or anyone else have livestock adjoining my pastures, I would expect them to keep their livestock on their side of the fence.

As I mentioned earlier, If the State of Montana makes it a clear policy that we oppose the introduction of any further herds of bison to be classified as wildlife, that would go a long way in preventing what the Department of the Interior has planned.

## ORDER NO. 3410

*Subject: Restoration of American Bison and the Prairie Grasslands*

*Sec. 1 Purpose. The purpose of this order is to enhance the Department of the Interior's (Department) work to restore wild and healthy populations of American bison and the prairie grassland ecosystem through collaboration among the Department's Bureaus and partners such as other federal agencies, states, Tribes, and landowners using the best available science and Indigenous knowledge.*



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# John Deere Says Farmers Can Fix Their Own Tractors—Sometimes

*It cuts a deal with a farmers' group to forestall legislation requiring it to stop compelling farmers to come to Deere for all their repairs.*

BY LUKE GOLDSTEIN, THE AMERICAN PROSPECT

The tractor giant John Deere has agreed to a memorandum of understanding with the American Farm Bureau Federation to abide by certain "right to repair" guarantees for farmers. Despite these concessions, many right to repair advocates see the memorandum as little more than a sleight of hand to quell the momentum behind state and federal legislation.

The right to repair movement has grown over the past decade by championing a clear-cut principle: People should be able to fix their consumer items on their own or through independent dealers. In the consumer electronics market, however, corporate giants such as Apple or John Deere effectively force customers to go to the company's own dealers, where costs are often so high that it's cheaper just to buy a new product. Such firms make outside repairs all but impossible by blocking consumers' access to the necessary mechanical parts as well as to manuals or schematics.

In the case of agricultural equipment, companies like John Deere have even threatened legal action against farmers who try to fix their own tractors, on the grounds of copyright infringement. This arrangement essentially imposes a semipermanent leasing agreement onto farmers that not only adds another overhead cost but sometimes can have dire consequences. If a tractor malfunctions or the battery needs to be replaced, it can take up to two weeks for farmers to get a John Deere technician to attend to the repair. During the height of a harvest season, that could mean losing a significant amount of a farmer's earnings for the year.

The right to repair movement has the ear of the White House. President Biden's competition order in 2021 directed the Federal Trade Commission to take action on this practice. While the Commission hasn't set rules yet, it issued a policy statement in 2021 and approved final orders in October against three firms for imposing unlawful obstacles on repairs.

Though light on details, Deere's new memorandum would make it somewhat easier for farmers to get repair service independent from the company. It would ease restrictions on machine parts from manufacturers and open up other fix-it tools, such as the software or handbooks that Deere technicians rely on.

This olive branch, however, is predicated on a major concession from the Farm Bureau, one of the most powerful lobbying forces in agriculture that advocates on behalf of farmers. The Farm Bureau has agreed not to support any state-level legislation that enshrines the right to repair in law, or creates further protections that go beyond what's outlined in

the agreement.

"That provision shows the company's cards and makes us wary of the agreement," said Willie Cade, an organizer for Farm Action and a right to repair advocate. "It seems targeted at taking the wind out of our sails."

For the movement's stalwarts, the timing of the memorandum is not a coincidence. Last month, New York state passed the first major piece of legislation on right to repair for digital products. Despite industry-friendly carve-outs tucked into the final version by Gov. Hochul, the passage of that bill galvanized other states' efforts on similar legislation, which has now been introduced in almost every state. Many state lawmakers hoped to move forward on those bills in the first months of the year, when most legislation gets done in statehouses.



It's not uncommon for corporations to fall back on private-sector multiparty agreements in an attempt to stave off regulation. "John Deere is using the same playbook that we've seen from other companies with a monopolistic position," said Daniel Hanley, a legal analyst at the Open Markets Institute whose work on the right to repair has been cited in federal legislation.

Big Tech in particular has pursued this strategy as antitrust enforcement bears down on them. Both Apple and Google have unveiled privacy reforms that in theory make it more difficult for third parties to track users without hindering their own data collection and ad revenue. In a precursor to the John Deere memorandum, Apple began opening company-run self-service repair shops to consumers, a move that hasn't convinced any advocates to back off, since most iPhone parts aren't readily available at the stores.

One major problem with private-sector accords is that there's no enforcement mechanism. If John Deere doesn't live up to the memorandum, farmers have no path for recourse.

Moreover, the Deere memorandum also

contains loopholes. The core concession is to give customers access to a service adviser software tool for procuring mechanical parts from manufacturers similar to the one that company dealers get to use for repairs. But the company doesn't provide other tools that right to repair advocates would like to see, such as dealer technical assistance service. The memo also permits Deere to maintain certain exceptions that would deny farmer repair requests. The company can refuse to distribute certain equipment to farmers if it deems the technology proprietary or when it falls under vague criteria such as "safety controls" or "emissions controls."

"The slippery language gives the company enormous discretion to just set policy as it goes," said Kevin O'Reilly, the director of the Right to Repair campaign at U.S. PIRG.

Beyond their discontent with these carve-outs, farmers and their advocates have little trust that Deere will actually follow through on its agreement—a skepticism rooted in the company's track record. In 2018, Deere issued a "statement of principles" that foreshadowed the provisions in the new memorandum. Despite that, farmers never received access to the machine parts or software they'd been promised.

"We have a bit of déjà vu since we witnessed the same Kabuki theater take place in 2018," said O'Reilly.

Neither John Deere nor the Farm Bureau could be reached for comment.

State lawmakers around the country have taken notice of the memorandum. In Iowa, newly elected state Rep. J.D. Scholten, who

sits on the Agriculture Committee, plans to take up the cause of right to repair. The company's reputation in the state has taken a hit since it moved the work done at its Waterloo manufacturing factory to Mexico just several months after a strike at the plant came to an end. Still, Scholten isn't under any illusions about the political clout the company still wields in the state. "Even though Deere's armor has been dented, I expect the memorandum might be used as an excuse by some not to take action," said Scholten.

A similar dynamic could play out in Vermont, where right to repair legislation specifically for agriculture equipment has undergone a recent resurgence.

"We often see companies weaponize the private sector to avoid lawmaking," said state Rep. Emilie Kornheiser, one of the sponsors of right to repair legislation from last session.

Kornheiser also emphasized, however, that the memorandum might have the reverse effect than the company intended, as it has now openly admitting that right to repair is a problem. "We're still hopeful that we can get it done," said Kornheiser.



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## ***“BEEF ON EVERY PLATE”***

One in seven Montanans struggle with hunger; one in five children in Montana live in households that struggle with hunger. USDA reports 11.5% of Montana households are “food insecure” and often skip meals or go to bed hungry, including the elderly and young children. Many on fixed incomes, single mothers, and the working poor simply cannot afford to purchase quality meat to feed their families. Montana Cattlemen's Foundation has organized the **“BEEF ON EVERY PLATE”** program to enable cattle producers to donate beef to help feed our neighbors. To date we have provided beef for over 327,000 meals!!

As cattle producers, we always have beef in the freezer. Unfortunately, this is a luxury that too many Montanans do not share. The need is overwhelming! If you wish to donate a cow, bull, or steer, please call the Montana Cattlemen's Foundation 406-467-2251 to make arrangements. For those who do not own cattle, cash donations are also needed to help pay for costs associated with processing the beef. Montana Cattlemen's Foundation is working with the Montana Food Bank Network and others to distribute the hamburger throughout the state. With your help we can provide assistance to Montanans in need!



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Web: [www.montanacattlemen.org](http://www.montanacattlemen.org)

***Your Support Is Appreciated!***



## THE 2023 MONTANA RANGE DAYS EVENT WILL BE HOSTED ON JUNE 19 – 21, 2023

In 1977 Montana Range Days (MRD) became the state's premier rangelands education event. Since its inception, over 7000 participants have taken part. Every two years a new host community joins with statewide sponsors to make MRD happen by contributing time, materials, and financial support. MRD was hosted by Toole County in the community of Shelby in 2022 and will be there again in 2023. Miles City will play host in 2024-25.

At MRD youth and adults of all ages gather for three days to celebrate and learn more about our rangelands, including plant identification, soils, ecology, rangeland inventory, and management tools and techniques. Tours of local operations showcase natural resource management. Contests allow participants to test their knowledge and earn prizes and other awards, including scholarships.

In 2022, Toole County wanted to show off rangeland around the Marias River and surrounding area. This year, MRD will be showcasing the Sweetgrass Hills in the North end of the county. In addition, there will be tours that are separate from groups competing. Tentatively, the tours will be going to a Hutterite colony outside of Shelby, to a meat inspection facility on the US/Canadian border, and a visit to Welker's Farm. There may be some other surprises thrown at the tour groups. MRD in Toole Co. also plans to have a guardian dog presentation focusing on ranching along side of apex predators like the grizzly bear, which are very prevalent in the area.

We hope to have two to three hundred participants and volunteers at MRD this year. MRD is the consummate event to learn about range management and about Montana's number one natural resource: Rangeland.

## Ballot Results

The following Officers and Directors were elected:

Richard Liebert — President  
Ken Morris — Secretary  
Gilles Stockgon — Eastern District Director  
Jim Baker — Director At Large

### **PASSED: RESOLUTION OPPOSING THE GRANTING TO AMERICAN PRAIRIE THE RIGHT TO GRAZE BISON ON PUBLIC LANDS IN PHILLIPS COUNTY, MONTANA.**

WHEREAS the Bureau of Land Management (BLM), based on a superficial and inadequate Environmental Assessment (DOI-BLM-L010-2018-0007-EA), has approved American Prairie's petition to utilize 63,065 acres of public lands in Phillips County to graze bison; and

WHEREAS the BLM:

1. Does not require perimeter fencing adequate to contain bison;
2. Allows the removal of 35.7 miles of cross fencing, destroying approximately \$267,000 of public property;
3. Ignores the danger to the public using those public lands;
4. Ignores the costs and danger to neighboring landowners dealing with stray bison;
5. Allows year round grazing by bison on some allotments, and a change in the turn out date to the first of April on others, with no analysis as to the impacts to the rangelands;
6. Ignores Taylor Grazing Act provisions that does not recognize bison as a species authorized to use BLM administered public lands;

BE IT RESOLVED that the Montana Cattlemen's Association opposes the granting to the American Prairie the right to use public lands for bison until BLM addresses the issues presented above.

**NOTE:** *The updated Montana Cattlemen's Association Policy Book can be found at: [montanacattlemen.org/policy/](http://montanacattlemen.org/policy/)*

# Made in the USA? Proposed rule clarifies grocery meat labels

*BY JONEL ALECCIA, ASSOCIATED PRESS*

Shoppers could soon find it easier to tell if those grocery store steaks or pork chops were really “Made in the USA.”

Federal agriculture officials on Monday released new requirements that would allow labels on meat, poultry or eggs to use that phrase — or “Product of USA” — only if they come from animals “born, raised, slaughtered and processed in the United States.” That’s a sharp change from current policy, which allows voluntary use of such labels on products from animals that have been imported from a foreign country and slaughtered in the U.S., but also on meat that’s been imported and repackaged or further processed.

Imports of beef from countries including Australia, Canada and Brazil, for instance, account for about 12% of the total consumed in the U.S. Overall, imports of red meat and poultry account for less than 6%, while imports of eggs account for less than half of 1%.

U.S. Department of Agriculture Secretary Tom Vilsack said the proposed rule would better align the labels with consumers’ views. A survey commissioned by the USDA found that nearly two-thirds of shoppers believed that a “Product of USA” label meant that most or all meat production steps occurred in the U.S.

“There’s obviously a disconnect between what the consumers’ understandings and expectations are and what the label currently is,” Vilsack said in an interview.

About 12% of all meat, poultry and egg products sold in the country carry the U.S.-origin labels, USDA officials said.

The label change was first proposed by President Joe Biden in 2021 and was included last year in a series of steps to bolster the U.S. meat and poultry supply chain.

The USDA survey, conducted last summer, included a nationally representative sample of more than 4,800 American adults who do the grocery shopping for their families and who bought beef or pork in the previous six months. More than 40% of the shoppers said they look for the USA label when buying meat.

The rule was praised by consumer advocates and representatives for U.S. ranchers and farmers, including the U.S. Cattlemen’s Association, which petitioned the USDA for the label change in 2019.

“The proposed rule finally closes this loophole by accurately defining what these voluntary origin claims mean,” said Justin Tupper, the group’s president. “If it says ‘Made in the USA,’ then it should be from cattle that have only known USA soil. Consumers have the right to know where their food comes from, full stop.”



Thomas Gremillion, director of food policy for the Consumer Federation of America, said the change is a “small but important step” that should have been made long ago.

Under the current rule, Gremillion noted, a cow can be raised in Mexico under that country’s regulations for feed and medications, then shipped across the border and slaughtered that same day to make ground beef and steaks that qualify as “Product of USA.”

Carrie Balkcom, executive director of the trade group American Grassfed Association,

said the existing rule also penalizes small domestic producers.

“It’s expensive to raise grass-raised animals from scratch,” Balkcom said. “And these large producers were importing these animals raised elsewhere and just repackaging them and then kind of coasting on the ‘Made in the USA’ label.”

An official with the North American Meat Institute, which represents large firms that process most of the meat and poultry products sold in the U.S., said she hadn’t seen details of the new rule. But Sarah Little added, the group “opposes overly prescriptive labeling requirements that will raise prices for consumers.”

Another industry group, the National Cattlemen’s Beef Association, has called for eliminating the voluntary USA labels entirely and allowing for strict labeling standards verified by the USDA.

The voluntary labeling rules are different from country-of-origin labels, known as COOL, which required companies to disclose where animals supplying beef and pork are born, raised and slaughtered. That requirement was rolled back in 2015, after international trade disputes and a ruling from the World Trade Organization.

Country-of-origin labels are still required for other foods, including fish, shellfish, fresh and frozen fruits and vegetables and more.

Companies won’t have to prove that their products are American-made before using the labels, but they will have to file documentation. The proposal applies only to meat, poultry and eggs, products overseen by the USDA’s Food Safety and Inspection Service, which can pull the label if companies are found to violate the rule.

The label proposal is open for public comment before it becomes final. Comment deadline has been extended to June 11, 2023.

**You may submit your comments online:**

<https://www.regulations.gov/document/FSIS-2022-0015-0001>

# House Ag Committee Misses Opportunity on HB 350

MONTANA FARMERS UNION, HELENA - Montana consumers still won't know for sure where their meat comes from, after the House Agriculture Committee voted to table a bill that would have created more truth in labeling. Currently, imported meat can be labeled "Product of the USA" if it has been packaged in the United States. The Montana Country of Origin Placarding Bill, sponsored by Frank Smith from HD 31, would have required retailers to post a placard by beef and pork indicating to the best of their knowledge the meat's origin.

Tuesday, the bill was killed in committee on an 8-11 vote and was subsequently tabled by a voice vote.

"I believe that Montana led the nation in 2005 when we passed the country of origin placarding bill and put it into effect. I believe we could have led the nation again, but members put their party politics ahead of their constituents," Montana Farmers Union President Walter Schweitzer said.

"I appreciate the efforts of Representative Frank Smith and my own representative James Bergstrom for fighting the good fight and trying to protect their neighbors, family and friends and giving them the choice to buy U.S. beef instead of foreign beef," Schweitzer said.

Committee members who voted to pass the bill out of committee were: Democrats Dave Fern, Bob Carter, Melissa Romano, Frank Smith, Katie Sullivan, Marvin Weatherwax and Republicans James Bergstrom and Paul Green.

Committee members who voted to kill the bill were: Republicans Josh Kassmier, Marty Malone, Julie Dooling, Fred Anderson, Kenneth Walsh, Tony Brockman, Brad Barker, Casey Knudsen, Braxton Mitchell, Greg Kmetz, and Zack Wirth.

Rep. Sullivan from HD 89 said she recognizes the complexity of the issue. "But I do think sometimes we need to start moving things forward and trying to find a solution," she said in support.

Despite widespread support for the bill from members of Montana Farmers Union, Montana Cattlemen's

Association, Montana Organic Association, National Farmers Organization, Northern Plains Resource Council, Montana farmers and ranchers, and overwhelming consumer interest in knowing where their meat comes from, other Ag organizations spoke against the bill.

Montana Stockgrowers Association and Montana Farm Bureau Federation representatives opposed HB 350. The Montana Chamber of Commerce and the Montana Retailers Association also lobbied against COOL for consumers.

Proponents of the measure testified last week that it would help give Montana ranchers a fair shake in the market for their premium products.



"I believe truth in labeling matters, as it carves a path to increased market prices and fairness for ranchers. Truth in labeling matters - for my family, for consumers, for food security, and for Montana," Samantha Ferrat told committee members during the bill's hearing last week.

Ferrat grew up on a hog operation and now ranches with her husband John Ferrat, who called HB 350 a step in the right direction to creating more fair markets.

Beef and pork imports have increased in recent years, and the product can be easily labeled "Product of the USA" after being packaged stateside, John Ferrat said.

"If that isn't fraud, I don't know what is," he said. As long as labeling remains ambiguous, making ends meet in a fair market becomes more and more elusive. "Allowing these deceptive practices that drive down market prices for our cattle makes the future for my son and our ranch shaky and uncertain," he added.

Tuesday's vote is disappointing, but MFU will continue to fight for consumers and ranchers, Schweitzer said.

County of origin labeling also is being discussed at a national level, with the bipartisan American Beef Labeling Act that is co-sponsored by Montana Senator Jon Tester and republican senators Mike Rounds, John Thune, and Cynthia Lummis, along with democratic senators Kirsten Gillibrand and Cory Booker.



NEWSLETTER

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## MONTANA CATTLEMEN'S ASSOCIATION MISSION STATEMENT

*To address market interests, serve to support Montana's environmental, cultural, and historical heritage, and protect the interests of Montana cattle producers in international markets and trade issues.*

*The Montana Cattlemen's Association shall be true environmentalists in protecting and advancing their environmental position in water rights, mineral rights, and natural resources.*

\* \* \* \* \*

Montana Cattlemen's Association has a long history going back to the 1950's of representing Montana cattle producers on issues vital to the future of our industry. Our goal is to continue that tradition with the help of experienced cattle producers across the state—just like yourself!

Montana Cattlemen's Association is a producer-driven, grassroots organization committed to ensuring profitability for the Montana cattle industry. We are dedicated to increasing profit opportunities for you and your family as well as for future generations.

### WHY JOIN MCA?

- ◆ Producer-driven grassroots policies
- ◆ Credibility and integrity within the cattle industry and in Helena
- ◆ Working only for Montana cattle producers to increase profitability
- ◆ Membership numbers strengthen MCA's effectiveness
- ◆ MCA works with legislators, businesses, communities and other like-minded organizations in the development of rural Montana
- ◆ Opportunities to become involved within the organization
- ◆ Every cattle producer has a voice in decisions that affect his livelihood

