



February 27, 2023

The Honorable Thomas J. Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Vilsack:

On behalf of America's cattle producers, the National Cattlemen's Beef Association (NCBA) writes to you once again with great concern over Brazil's repeated lack of timely reporting of animal health diseases to the World Organization for Animal Health (WOAH, formerly known as OIE), as well as its trade partners. Last week, media reports indicated that Brazil discovered a case of atypical bovine spongiform encephalopathy (BSE) in the northern state of Paraⁱ and submitted test samples to the WOAH lab in Canada.ⁱⁱ At first glance, it would appear that Brazil reported the incident soon after it occurred, but the WOAH reportⁱⁱⁱ indicates that the event started on January 18, 2023 and was not confirmed until February 22, 2023 – a difference of 35 days. As of today, the causal agent test results have not been published. As we await confirmation of the causal agent test, we should ask why it took Brazil 35 days to confirm if it was a case of atypical BSE, and whether Brazil's history of delays reflects systemic issues with the central competent authority and/or diagnostic veterinary laboratory capacity, as well as whether it adequately provides an equivalent level of safety.

While atypical BSE cases are rare and are excluded from WOAH's scope of BSE categorization, most countries immediately report atypical BSE cases as a matter of transparency and as a commitment to objective, science-based standards. In fact, WOAH clearly states that "Members must report the occurrence of animal diseases listed by the OIE, the emergence of new diseases and significant epidemiologic events within 24 hours of the event."^{iv} Many times, countries that experience BSE cases are faithful to report the unfortunate incidences within a matter of hours or days, including recent cases in the Netherlands^v and Spain.^{vi} The latest Brazilian incident is another example of the extensive time lapse between the start of a BSE event and the confirmation and/or reporting of the event. As you recall, NCBA raised concerns^{vii} over Brazil's two previous incidences of atypical BSE, one in Minas Gerais on June 11, 2021,^{viii} and another in Mato Grosso on June 25, 2021.^{ix} Unfortunately, WOAH was not notified of Brazil's two BSE cases until September 3, 2021 — several weeks after both cases were identified. It is deeply concerning that Brazil was unable to report or chose not to report its two BSE cases to WOAH for several weeks.

Unfortunately, Brazil has a history of delayed reporting of BSE cases including one atypical case in 2019 (2 months),^x an atypical case in 2014 (1 month),^{xi} and an atypical case in 2012 (nearly 2 years).^{xii} Brazil's history of failing to report incidences of BSE calls into question its commitment to reporting other significant diseases such as African Swine Fever, Avian Influenza, or Foot-and-Mouth Disease. It is understandable that these diseases, if reported, could pose a major threat to Brazil's exports, as noted in WOAH's guidance in reporting. "The notification of diseases may have a negative impact on the economic performance of a country (e.g. by causing loss of export markets or discouraging tourism). However, new information technologies and practices make it difficult for governments to hide occurrences of serious notifiable diseases. A country's credibility must be based on timely and accurate notification of diseases, and this also gives the respective government a much better position to contain a disease, as compared with the situation where it first has to defend a failure to comply with international obligations. Regaining credibility in the face of public knowledge of failure to meet

international rules is a costly and time-consuming exercise and can be of the highest political risk for policy-makers.”^{xiii}

Brazil enjoys the benefits of market access awarded to countries with the credibility of WOA’s negligible risk designation – credibility that is based on the timely reporting of BSE cases to WOA. NCBA has serious concerns that the recent events are evidence that Brazil may lack credible food safety and animal health systems, and Brazil’s irresponsible behavior may pose a significant threat to the health and safety of the U.S. cattle herd.

Once again, it is out of an abundance of caution that NCBA requests USDA take immediate action to indefinitely suspend Brazil’s beef access to the U.S. market until USDA conducts a thorough review, including a risk assessment, of Brazil’s central competent authority – the Ministry of Agriculture, Livestock, and Food Supply (MAPA), as well as its veterinary diagnostic laboratory system. NCBA recommends the indefinite suspension of beef imports from Brazil until MAPA makes systemic reforms and takes necessary steps to demonstrate Brazil’s commitment to an objective, science-based regulatory system that restores confidence in Brazil’s participation in the global food supply.

America’s cattle producers carry the scars of devastation from BSE, and we have worked diligently to restore the trust of consumers at home and abroad. We greatly benefit from market access built on science-based standards and a commitment to transparency and integrity. The consumer trust we have worked so hard to build should not be jeopardized by any country that seeks to conceal the truth about animal health or food safety concerns or lacks the ability to provide an equivalent level of safety. American cattle producers and beef consumers deserve better, and Brazil must prove itself worthy of the U.S. seal of approval.

Sincerely,



Ethan Lane
Vice President, Government Affairs
National Cattlemen’s Beef Association

ⁱ “Brazil to halt beef exports to China after mad cow disease case,” Reuters, 02/22/2023.
ⁱⁱ “Brazil Suspends Beef Exports to China After Finding Mad-Cow Disease,” The Wall Street Journal, 02/23/2023.
ⁱⁱⁱ WOA – World Animal Health Information System (WAHIS), Report ID 159469, 02/23/2023.
^{iv} “Notification of Animal and Human Diseases – Global Legal Basis,”
https://www.oie.int/fileadmin/Home/eng/Current_Scientific_Issues/docs/pdf/notification-EN.pdf; accessed 02/27/2023.
^v WOA – World Animal Health Information System (WAHIS), Report ID 159092, 02/02/2023.
^{vi} WOA – World Animal Health Information System (WAHIS), Report ID 159183, 02/07/2023.
^{vii} “NCBA Urges Vilsack to Halt Brazilian Beef Imports,” NCBA Press Release, 11/12/2021.
^{viii} WOA – World Animal Health Information System (WAHIS), Report ID 151513, 09/06/2021.
^{ix} WOA – World Animal Health Information System (WAHIS), Report ID 151514, 09/06/2021.
^x WOA – World Animal Health Information System (WAHIS), Report ID 30678, 05/31/2019.
^{xi} WOA – World Animal Health Information System (WAHIS), Report ID 15148, 05/02/2014.
^{xii} WOA – World Animal Health Information System (WAHIS), Report ID 12682, 12/07/2012.
^{xiii} “Notification of Animal and Human Diseases – Global Legal Basis,”
https://www.oie.int/fileadmin/Home/eng/Current_Scientific_Issues/docs/pdf/notification-EN.pdf; accessed 02/27/2023.