

# Congress of the United States

## Washington, DC 20515

January 28, 2021

Kevin Shea, Acting Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250

Acting Secretary Shea,

We write you today concerning the passage of the Importation of Sheep, Goats, and Certain Other Ruminants rule (APHIS-2009-0095; also known as the Scrapie Import Rule) by Secretary Perdue in his final days. This rule has remained as a proposed rule since July 18<sup>th</sup>, 2016, as the industry repeatedly asked the Department to prioritize export opportunities for United States lamb.

This rule has severe consequences for American sheep producers including:

- Allowing additional imports of lamb from countries (including the United Kingdom) who have an unfair trade advantage due to being highly governmentally subsidized. Our market is already overcrowded, with more than half of all lamb consumed being imported.
- Undercutting efforts to open markets for American lamb. The United States will lose its leverage to negotiate lamb exports to the United Kingdom.
- Allowing animals and genetic materials into the United States that are Scrapie positive. Not only does this create a herd health issue for producers, but it keeps the door closed to important trade partners such as Japan. Prior to the market closure, Japan was the top valued export market for American lamb.
- Risking introduction of a new disease into United States flocks, Schmallenberg Virus (SBV).

Scrapie is a Transmissible Spongiform Encephalopathy, like Chronic Wasting Disease (CWD) in wildlife and Bovine Spongiform Encephalopathy (BSE) in cattle. Scrapie is nearly eradicated in the United States flocks, as of 2016 its prevalence was .001%. Allowing it to reemerge into United States flocks would be catastrophic to the industry.

Sheep producers were hit hard last summer when the Mountain States Rosen processing plant closed. This rule would deliver another substantial blow to an industry that is already distressed by extreme predation, increasing labor costs, and loss of access to federal lands grazing. The American Sheep Industry Association along with state organizations have submitted detailed comments outlining the negative consequences throughout the rule making process.

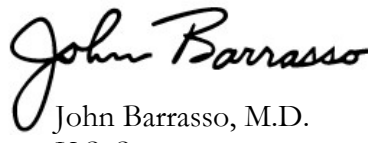
Additionally, the rule no longer meets regulatory criteria to consider economic consequences. The Regulatory Impact Review & Initial Regulatory Flexibility Analysis released by the Animal Plant Health Inspection Service during the initial rule making process was based on economic data that is now nearly a decade old. Since that time, market conditions affecting both the United States and global sheep markets have changed considerably. Perhaps most notably, as of December 31, 2020 the United Kingdom has exited the European Union. The United States has been identified as a priority export market post-Brexit. Current market conditions and their effects must be adequately analyzed prior to implementation of this rule.

Please reevaluate this rule prior to its implementation based on current market conditions. It diminishes our global market position, further damages our struggling lamb industry, and lacks an economic analysis that reflects current market conditions.

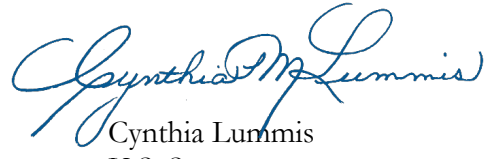
Sincerely,



Liz Cheney  
Member of Congress



John Barrasso, M.D.  
U.S. Senator



Cynthia Lummis  
U.S. Senator



Kevin Cramer  
U.S. Senator



John Hoeven  
U.S. Senator



Kelly Armstrong  
Member of Congress



Tony Gonzales  
Member of Congress



Ronny Jackson  
Member of Congress



Dusty Johnson  
Member of Congress



Dan Newhouse  
Member of Congress



August Pfluger  
Member of Congress

CC: USTR