



Canadian Cattlemen's Association

## News Release

### **Canadian Cattle Producer Groups Granted Status in Appeal of Continued Border Closure**

(June 7, 2005) The Canadian Cattlemen's Association (CCA) has learned that its request for amicus curiae "friend of the court" status in the United States Department of Agriculture (USDA) appeal of the preliminary injunction keeping the U.S. border closed to live Canadian cattle has been granted. Amicus curiae status was granted today by the Ninth Circuit Court of Appeals, based in San Francisco. Requests for amicus curiae status filed by Alberta Beef Producers (ABP), the Government of Canada, American Farm Bureau and National Cattlemen's Beef Association were also granted.

"We're very encouraged that the Court of Appeals is granting CCA and other groups that will be impacted by the outcome of this case the opportunity to have input," says CCA President Stan Eby. "The economic future of CCA members, the cattle producers of Canada, will be hugely impacted by the outcome of both the July 13 appeal of the preliminary injunction, and the July 27 hearing on a permanent injunction that will be held in U.S. District Court for Montana."

Yesterday CCA and ABP filed an appeal of the U.S. District Court judge's denial of its request for intervenor status in the permanent injunction case. The appeal was filed in the Ninth Circuit Court of Appeals.

Amicus curiae briefs permit those affected by the outcome of a case to provide relevant information for consideration by the judge or judges deciding the matter. The CCA's brief notes that CCA has both a significant economic interest in the outcome of the proceeding, and an equal and related interest in how the United States structures and implements its BSE regulations. As the U.S. and Canadian beef and cattle markets are viewed globally as largely integrated, the policy decisions and standards established in either country have an impact on the industries of both in their ability to trade internationally. The brief argues in part that the district court abused its discretion by failing to accord deference to the voluminous and scientifically substantiated record entered by USDA while at the same time adopting, often verbatim, the unsupported and inaccurate conjecture offered by R-CALF.

The CCA amicus curiae brief as well as other briefs can be viewed on the CCA website [www.cattle.ca](http://www.cattle.ca) under BSE Updates.

**For further information:**

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*CCA is the National Voice for the Beef Cattle Industry, representing over 90,000 Cattle Producers*