Court rejects latest attack on poultry rules

Lawsuit against new regulations dismissed for lack of standing

By MATEUSZ PERKOWSKI Capital Press

Opponents of new poultry slaughter inspection rules have so far had no luck in being allowed to challenge the regulations in court.

A federal appeals court has shot down the latest attempt by a consumer advocacy group to challenge the rules, finding the new poultry inspection system, or NPIS, doesn't pose a substantial



Chickens are seen in this file photo. Another lawsuit challenging new USDA rules for inspecting chicken slaughterhouses has been tossed out of court.

risk of harm to the organiza-

The U.S. Court of Appeals to throw out a lawsuit filed

for the D.C. Circuit has upheld a lower court's decision

by the Food & Water Watch nonprofit for a lack of legal standing.

A similar case brought by a union representing poultry inspectors was also dismissed earlier this year on similar grounds, but that ruling is being appealed.

Critics of the USDA's new poultry inspection rules claim they're aimed at making life easier for slaughterhouses while increasing the danger of foodborne illness for consumers.

The USDA counters that its regulations will allow agency poultry inspectors to be deployed more effectively to prevent problems at such

The gist of the new system

is that slaughterhouse employees will be responsible for more visual evaluation and sorting of poultry carcasses, while USDA inspectors will focus on reducing pathogen hazards throughout the plant.

Food & Water Watch complains that during a pilot project for the new system, 90 percent of non-compliance incidents were related to fecal contamination that company employees did not notice.

The recent federal appeals court ruling said this finding suggests that such workers won't be as effective as USDA inspectors, but the group hasn't shown these results are actually worse than under the existing system.

"Thus, they fail to plausibly allege that the regulations substantially increase the risk of foodborne illness," the court held.

The lawsuit complained that each USDA inspector evaluates about 30 carcasses per minute under the current system, but that rate would increase to 200 or more per minute under the new rules, resulting in the processing and shipment of "unwholesome, mutilated and diseased chickens.'

The appellate court called these allegations "alarming" but held that they don't ultimately demonstrate that food safety outcomes would be inferior to the current system.

Expanding supply, lower demand pushes dairy prices down

By CAROL RYAN DUMAS Capital Press

A significant expansion in milk supply colliding with a significant slowdown in demand in the last few months has pressured most U.S. dairy product prices lower, despite high domestic commercial use of butter and cheese in the third

Cheese prices are now at \$1.40 a pound, down from \$1.65 in November and \$2.13 in November 2014. Powder prices are at 76 cents per pound for nonfat dry milk, down from about 84 cents in November and \$1.40 in November 2014.

Butter prices have been the exception at an average of \$2.80 per pound in November, up from \$1.99 in November 2014, but cash prices were down to about \$2.04 in last week's spot market.

consumption Changing patterns, in which fat is now considered a good thing, is the primary reason for domestic butter demand, said John Newton, senior director of economic research at Nation-



Carol Ryan Dumas/Capital Press

A cow gets up close and personal during a United Dairymen of Idaho tour of Brubaker Family's Knott Run Dairy in Buhl, Idaho, in September. Expanding supply and lower demand are driving dairy prices down.

al Milk Producers Federation.

Butter is being called the "new Greek yogurt," he said.

That and tight supplies due in part from lower production in the West and considerable butter exports last year that drew down stocks saw butter trading at record-high prices this fall, hitting a high of \$3.13 per pound,

Domestic commercial use of

butter rose almost 8 percent in the third quarter of 2015 year over year. With virtually all U.S. butter production needed to supply the domestic market, U.S. butter exports August through October were down

53 percent year over year and

the lowest since the summer

of 2009, NMPF economists reported Dec. 28.

That was a decrease of 3.738 metric tons. And U.S. butter imports August through October were up 2,705 metric tons, 82 percent year over year, the economists reported.

Domestic commercial use

of cheese other than American style was up 82 million pounds and 5 percent year over year in the third quarter, and commercial use of American style cheese was up 24 million pounds and 2.2 percent.

Domestic commercial use of fluid milk was down 124 million pounds and 1 percent and powder use was down 32 million pounds, nearly 11 percent in the third quarter. But the strong performance of butter and cheese was a key contributor to a 3.6 percent increase in commercial use of milk measured on a milkfat-equivalent basis, the economist reported.

Domestic demand has helped support milk prices in the U.S. although the all-milk price in October was down \$7.20 per hundredweight year over year despite a decline in exports, which were down 2 percent August through October.

Lack of exports, however, has stocks climbing, and milk production is still up year over year although growth has slowed since the spring flush, Newton said.

Producers are responding to lower prices with less production and less milk per cow, but they can't just turn it off and on. Milk production slowed to just 0.5 percent growth year over year from August through October, he said.

Adverse weather and water shortages are affecting percow yields in California, the No.1 dairy state, where production was down 4 percent in November and 3.4 percent year to date. A similar pattern is being seen in New Zealand, but some European countries are showing double digit increases in production now that quota has ended, he said.

The U.S. industry is facing some risks in the coming months, with high inventories of cheese hanging over the market and butter stocks rebuilding for next year's holiday sales, he said.

Oregon Farm Bureau makes staffing changes

Organization hires two new employees, creates new position

By MATEUSZ PERKOWSKI Capital Press

The Oregon Farm Bureau has made several staffing changes, including hiring two new employees, after a longtime lobbyist for the group left for another organization.

Katie Fast, formerly the Farm Bureau's vice president of public policy, took a job as the executive director of Oregonians for Food and Shelter, an agribusiness industry group, earlier this year.

The Farm Bureau has since promoted Jenny Dresler from government affairs associate to director of state public policy, which is a new position, said Anne Marie Moss, OFB's communications director.

'It's more a restructuring than a direct replacement,' Moss said.

Dresler joined the Farm Bureau a year ago after pre-



science.

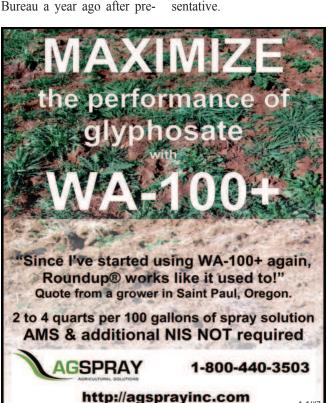


viously working for Sen. Ted Ferrioli, R-John Day, in legislative and campaign operations. She holds a master's degree from Oregon State University in environmental

Stepping into the role of government affairs associate is Tyler Alexander, who recently graduated from Lewis and Clark Law School and has previously worked for OFB as a law clerk.

Alexander and Dresler will ioin Mary Anne Nash, who will serve as public policy counsel, in representing the Farm Bureau's interests at the

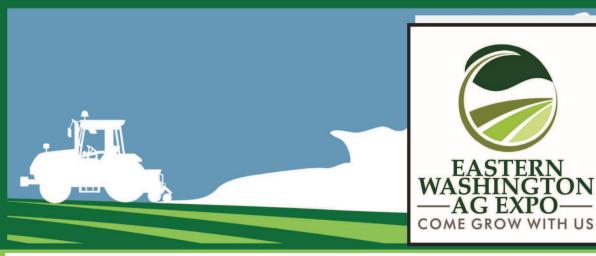
Oregon Legislature. The group's other new hire is Jacon Taylor, who will be traveling to county Farm Bureau organizations level to assist volunteers as a regional coordinator and field repre-



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