

Simon, Samantha

From: Riva, James
Sent: Monday, January 23, 2006 4:08 PM
To: Simon, Samantha
Subject: FW: Veal export to Japan

Samantha, please print this out and give it to the investigator, note the sentence I took out of the email, indicates he knew that the vertebral column was an SRM.

The U.S. agreed and exempted Canadian veal from the ban and carcass' were allowed to be shipped to the U.S., even with the SRM's in them.

James Riva, Chief
Audit, Review and Compliance Branch
James.riva@usda.gov

Fax 202-690-1038
"Voice of the Customer"
<http://www.ams.usda.gov/lsg/arc/arcsurvey.htm>

-----Original Message-----

From: Sessions, William
Sent: Tuesday, December 13, 2005 2:28 PM
To: Riva, James
Subject: FW: Veal export to Japan

Jim: Please contact Mr. Peerless as we discussed. Let me know the outcome.
Thanks, Bill

-----Original Message-----

From: mdopp@meatami.com&inter2 [mailto:mdopp@meatami.com]
Sent: Tuesday, December 13, 2005 2:01 PM
To: Sessions, William
Subject: FW: Veal export to Japan

Bill, per our discussion

-----Original Message-----

From: Philip Peerless [mailto:ppeerless@atlanticveal.com]
Sent: Tuesday, December 13, 2005 4:49 PM
To: Rick.Harries@usda.gov; dana.stahl@usda.gov
Cc: Mark Dopp
Subject: Veal export to Japan

U.S.D.A./FSIS
Mr. Harries,

Atlantic Veal & Lamb is a veal company based in Brooklyn, New York. We have shipped our veal product's to Japan for the past 15 years. The Japanese market had become a very important part of our business. Previous to the border closing we employed over 300 people. Due to the lack of margin as a result of the Japanese border closing, we had to decrease our work force by 75 people. Relative to the beef industry our numbers are small, but to me and the amount of small mom and pop veal farmers that are affected (including the loss of veal production to Canada), the closing and the subsequent re-opening of the border

1/23/2006

is very important to us.

Back in April, I personally went to Japan in anticipation of the border re-opening. All of our customers were waiting eagerly for us to start shipping our veal to them. I had my quality control person, Elvra Cunha, call six months ago the FSIS and ARC to make sure that we would be on track when the border was re-opened. After some back and forth communication we received an e-mail from David Hildreth dated July 12, 2005 stating that per FSIS, dedicated veal plants DO NOT need a BEV Japan program. I forwarded this information to my agent in Japan.

Last week I spoke to my agent in Japan and was told that in anticipation of the border being re-opened this week, they would have an order for me to ship this week. I asked my quality control person Elvira Cunha to follow up on the export documents with the USDA. After waiting for two days and no one from FSIS communicating at all with us, I called around myself. I finally received a call back this morning from Dana Stahl, QSVP Program Manager for ARC, who informed me that veal plants DO need a EV Japan QSA program and that I would have to submit our request to be approved for the program to be eligible to ship to Japan. She said they might get to my application sometime in January and then an audit would then be scheduled.

The veal industry never should have been included in the ban to Japan. When Canada had their first case of BSE, the U.S. was quick to close their borders to Canadian 'bovine' products. Canada, on behalf of their veal industry complained to the U.S. that veal, because of their age and milk diet never should had been included in the ban to begin with. The U.S. agreed and exempted Canadian veal from the ban and carcass' were allowed to be shipped to the U.S., even with the SRM's in them. The U.S. should have made the same case to the Japanese all along about American veal, but unlike the Canadian government, which cares about their veal industry, the U.S. decided it's better to use the veal industry as canon fodder for the beef industry.

It was interesting to note today when I went on the ARC website to see all the companies that are listed as approved to ship to Japan as of YESTERDAY (I believe yesterday was the day the ban was lifted), I realized that sometimes it would be better to have some local congressmen directly representing us.

At the very least, because of the mis-information from the government, all I asked for is ARC fast track my application and send an auditor in here next week, we've had the program before, we know what to do, I asked for the audit for the BEV program six months ago and was told I did not need it.

I was told that they can't do help me.

I will tell my agent in Japan to wait because my government made a mistake in what they told me, and the people that have lost their jobs in the veal industry can wait also. The important thing is Cargill and Smithfield can ship this week, that's what's most important to our government and our economy.

Thank you,
Philip Peerless
President

cc: Senator Clinton
Senator Schumer

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Simon, Samantha

From: Stahl, Dana
Sent: Tuesday, December 13, 2005 10:36 AM
To: ppeerless@atlanticveal.com; Riva, James; Josselyn, Barbara; Simon, Samantha
Cc: ecunha@atlanticveal.com%inter2; Harries, Rick -FSIS; Josselyn, Barbara
Subject: RE: Dedicated Veal Facilities - EV Japan

Importance: High

Philip:

Dedicated veal facilities must have an EV Program for Japan. This requirement became apparent once the border reopened.

Although we are very busy, we review documents in the order of which they are received so, please submit your program manual as soon as you can. We will provide you with updates on the review of your manual.

Please forward concerns to Rick Harris at FSIS at Rick.Harries@usda.gov.

Sincerely,
Dana

Dana K. Stahl, Program Manager

Fax: (202) 690-1038

E-mail: dana.stahl@usda.gov

USDA, AMS, LS, ARC Branch

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Fredericksburg, VA 22406

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www.ams.usda.gov/lsg/arc/arcsurvey.htm

-----Original Message-----

From: ppeerless@atlanticveal.com%inter2 [<mailto:ppeerless@atlanticveal.com>]

Sent: Tuesday, December 13, 2005 12:51 PM

To: Stahl, Dana; Riva, James; Josselyn, Barbara; Simon, Samantha

Cc: ecunha@atlanticveal.com%inter2

Subject:

Can someone please contact me about exporting our veal products to Japan . I have a customer that wishes to resume doing business with us asap. The last reply from ARC we were told that dedicated veal plants do not need a BEV Japan program. We have been trying to contact you, along with numerous other USDA branches for information. We would like to ship product next week.

Thank you,
Philip Peerless
President

Simon, Samantha

From: Jones, Randall
Sent: Tuesday, December 20, 2005 1:13 PM
To: 'mdopp@meatami.com'
Cc: Carpenter, Barry; Sessions, William; Payne, Richard; Stahl, Dana; Simon, Samantha
Subject: FW: The first order
Attachments: ATTACHMENT.TXT

Mark -

I was talking with Dana about some other BEV issues and she informed me that she will complete the document review of the Atlantic's EV Program for Japan and will contact them by telephone today. I understand that this is our 2nd review of Atlantic's program as the 1st review noted some areas that needed additional attention.

If you need anything else, please do not hesitate to call me.

Best regards,

Randall

Randall D. Jones
Associate Deputy Administrator
Livestock and Seed Program
Agricultural Marketing Service
United States Department of Agriculture
202-720-5705 (telephone)
202-720-3499 (fax)
randall.jones@usda.gov

From: Sessions, William
Sent: Tuesday, December 20, 2005 10:15 AM
To: Jones, Randall
Subject: FW: The first order

FYI

From: mdopp@meatami.com%inter2 [mailto:mdopp@meatami.com]
Sent: Tuesday, December 20, 2005 10:06 AM
To: Stahl, Dana
Cc: Sessions, William; Carpenter, Barry; Riva, James; ppeerless@atlanticveal.com%inter2
Subject: RE: The first order

Dana, can you give us some idea when the company can expect the agency to review Atlantic's BEV program?

1/23/2006

From: Philip Peerless [mailto:ppeerless@atlanticveal.com]
Sent: Tuesday, December 20, 2005 10:10 AM
To: dana.stahl@usda.gov
Cc: Mark Dopp
Subject: Fw: The first order

----- Original Message -----

From: Nobuo Shiraiwa
To: ppeerless@atlanticveal.com
Cc: Yoshimitsu Ichii
Sent: Monday, December 19, 2005 5:38 PM
Subject: The first order

Dear Philip san,

I do hope you will be able to obtain the BEV verification as soonest as possible.

When I consider year-end and new year schedule here, most companies close 29th of December through 4th of January. If you won't be able to dispatch your products this week, we'd like you to air-freight them early next year, since we like to handle them with special care as the first products and we should not knock on job in last minute.

Philip san, please tell us when you have acquired the BEV verification.

Regards

DKSH - Market Intelligence
Confectionery&Bakery
Institutional Food Products

Nobuo Shiraiwa

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Simon, Samantha

From: Simon, Samantha
Sent: Thursday, December 15, 2005 9:07 AM
To: Sessions, William
Cc: Stahl, Dana; Riva, James
Subject: RE: BEV program

Tracking: **Recipient** **Read**
Sessions, William
Stahl, Dana Read: 12/15/2005 9:55 AM
Riva, James Read: 12/15/2005 9:07 AM

Bill,

We've talked to Mr. Peerless several times. Additionally, we have sent an email to all veal companies regarding the EV Program for Japan. Unfortunately, everyone believed that dedicated veal facilities would be exempt from the Program.

Currently, we are waiting to receive a documented program from Atlantic Veal that addresses the requirements of ARC 1030J Procedure. After we receive that, we will work as quickly as possible to conduct an audit at their facility.

We will keep you informed of our progress with Atlantic Veal.

Sam

Samantha J. Simon
USDA, AMS, LS, ARC Branch
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Fax: (202) 690-1038
E-mail: samantha.simon@usda.gov

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From: Sessions, William
Sent: Thursday, December 15, 2005 7:37 AM
To: Simon, Samantha
Cc: Stahl, Dana
Subject: FW: BEV program

Samantha: Please give Mr. Peerless a call on 718/599-6400 and see if we can expedite this process for him. Let me know the outcome. Thanks, Bill

From: mdopp@meatami.com%inter2 [mailto:mdopp@meatami.com]
Sent: Thursday, December 15, 2005 7:20 AM
To: Sessions, William; Riva, James
Subject: Fw: BEV program

Any idea how long this might take? Jim, did you have a chance to talk to philip? Can I help?

Mark Dopp
American Meat Institute
Senior Vice President, Regulatory Affairs and General Counsel

-----Original Message-----

From: Philip Peerless <ppeerless@atlanticveal.com>
To: Mark Dopp <mdopp@meatami.com>
Sent: Thu Dec 15 10:07:26 2005
Subject: Fw: BEV program

As of Wens nothing has happened. How do I respond to this E-mail?

----- Original Message -----

From: Yoshimitsu Ichii <mailto:yoshimitsu.ichii@dksh.com>
To: Philip Peerless <mailto:ppeerless@atlanticveal.com>
Sent: Tuesday, December 13, 2005 4:31 PM
Subject: Re: BEV program

Dear Philip san

I hope your company will be on the list in the below web today!

<http://www.ams.usda.gov/lsg/arc/evjapanlisting.htm>

Please keep in touch.
Yoshimitsu

DKSH - Market Intelligence

Yoshimitsu Ichii
Senior Sales Executive IFP Dept.
Nihon SiberHegner.K.K.
<http://www.dksh.com>

"Philip Peerless" <ppeerless@atlanticveal.com>

2005/12/14 00:26

Please respond to
"Philip Peerless" <ppeerless@atlanticveal.com>

To
"Yoshimitsu Ichii" <yoshimitsu.ichii@dksh.com>

cc

1/23/2006

Subject
Re: BEV program

Dear Yoshimitsu san,

As you might imagine, the communication from the FSIS is slow in coming. I hope to get clarification today and will keep you informed.

Regards, Philip

----- Original Message -----

From: <<mailto:yoshimitsu.ichii@dksh.com>> Yoshimitsu Ichii
To: <<mailto:ppeerless@atlanticveal.com>> ppeerless@atlanticveal.com
Cc: <<mailto:nobuo.shiraiwa@dksh.com>> Nobuo Shiraiwa
Sent: Monday, December 12, 2005 7:56 PM
Subject: BEV program

Dear Philip san

As you might know well, USDA AMS says that, (<<http://www.ams.usda.gov/lsg/arc/ARC1030J.pdf>>
<http://www.ams.usda.gov/lsg/arc/ARC1030J.pdf>), only companies with an approved QSA Program for the EV Program for Japan may label and sell product. The companies who can supply beef and beef offal that are eligible for export to Japan will be listed on FSIS web-site.

According to USMEF Japan office,

1, Above also applies to VEAL.

2, Only products produced after QSA Program is approved will be imported, which means you cannot export the current stocks to Japan.

Please let us have your comment on above.

Yoshimitsu Ichii

DKSH - Market Intelligence

Yoshimitsu Ichii
Senior Sales Executive IFP Dept.
Nihon SiberHegner.K.K.
<http://www.dksh.com>

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