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BSE RULE 2 LITIGATION UPDATE

as of November 8, 2007

On October 29, 2007, a Verified Complaint and Declaration for Injunctive Relief was filed by R-Calf, a number of individual plaintiffs, the South Dakota Stockgrowers Association, Centre for Food Safety, Consumer Federation of America, Creutzfeldt-Jakob Disease Foundation Inc., Food and Water Watch and Public Citizen against the United States Department of Agriculture, Animal and Plant Health Inspection Service and Charles F. Conner, in his capacity as the Acting Secretary of Agriculture.

The Complaint seeks a declaration that the OTM Rule is arbitrary and capricious, an abuse of discretion and not in accordance with the law and may not be lawfully implemented or enforced. The Complaint also seeks an injunction stopping the implementation of the OTM Rule and the importation into the US of live cattle of Canadian origin 30 months of age or older and all edible meat products derived from cattle of Canadian origin that were 30 months of age or older at slaughter. An application for a preliminary injunction to the same effect was filed by R-Calf on November 1, 2007.

R-Calf is seeking to shorten the time that USDA has to respond to its application for a preliminary injunction. USDA has filed a motion opposing the shortening of the response time. R-Calf has filed its opposition to USDA's opposition. To speed up the process, R-Calf is seeking to have the Court hear the application for a preliminary injunction on the pleadings that have been filed.

All events in the litigation to date are procedural motions in an effort to obtain a ruling or avoid a court ruling before Rule 2 comes into effect on November 19, 2007.

Further information will be provided as it becomes available. Copies of the pleadings filed in the US action are available on request. Please e-mail adriennew@albertabeef.org.

Event Time line:

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| Oct 29, 2007 | R-Calf and the other Plaintiffs ("R-Calf") file their Verified Complaint for Declaration and Injunctive Relief in the District of South Dakota , Northern Division |
| Nov 1, 2007 | Judge Charles B. Kornmann advises legal counsel that the R-Calf's request for an expedited hearing is out of the question |
| Nov 1, 2007 | R-Calf files a motion for a preliminary injunction |
| Nov 2, 2007 | USDA and the other defendants ("USDA") file their reply to the R-Calf's motion to shorten the time to respond to the preliminary injunction |
| Nov 5, 2007 | R-Calf files their response to the USDA's opposition to R-Calf's motion to shorten the time to respond to the preliminary injunction |
| Nov 6, 2007 | Attorney for R-Calf writes a letter to Judge Kornmann advising that the Plaintiffs are prepared to have the application for preliminary injunction decided on the pleadings filed. |