

**U.S. DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

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|--|---|-------------------|
| Valley Meat Company, LLC |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| TOM VILSACK, Secretary |) | |
| U.S. Department of Agriculture |) | |
| 1400 Independence Ave., SW |) | 12-CV-1083-JCG-CG |
| Washington, DC 20250 |) | |
| |) | |
| AL ALMANZA, Administrator, |) | |
| Food Safety and Inspection Service |) | |
| U.S. Department of Agriculture |) | |
| 1400 Independence Ave., SW, Room 331-E |) | |
| Washington, DC 20250 |) | |
| |) | |
| Defendants. |) | |
| |) | |

**AFFIDAVIT OF SUE WALLIS
IN SUPPORT OF INTERNATIONAL EQUINE BUSINESS ASSOCIATION'S
MOTION TO INTERVENE**

| | | |
|-------------------|---|------|
| STATE OF WYOMING |) | |
| |) | ss.: |
| COUNTY OF LARAMIE |) | |

I, Sue Wallis, being duly sworn upon oath hereby depose and state as follows:

1. I, Sue Wallis, am over the age of 18 years, and have personal knowledge of the facts contained herein.
2. My address is P.O. Box 71, Recluse, Wyoming 82725.

3. I am the Chairperson for the United States International Equine Business Association (“IEBA”).
4. The IEBA serves as a production agriculture association for the equine species, to mutually protect the international horse industry, and to promote the use of horses and equine products in commercial enterprises.
5. The IEBA was formed to serve the horse businesses and families of the World by protecting their economic, legislative, regulatory, judicial, environmental, custom and cultural interests. The Association promotes the role of the horse industry in resource stewardship, animal care, and in the production of high-quality, safe, nutritious meat, and other products.
6. Each nation has their own internal organization, with the United States being the headquarters. An office is established in Washington, D.C. The IEBA is registered in the State of Wyoming as a mutual benefit nonprofit organization. The main objective is to protect and promote the horse harvesting business, with an emphasis on harmonizing laws, rules, and regulations regarding equine and equine product commerce, within and between countries. (Leadership: Sue Wallis, United States, Chair; Bill des Barres, Canada; Olivier Kemseke, Mexico, Argentina, European Union.)
7. Our governing board met on February 9, 2013 and voted to join in the above-entitled litigation.
8. The IEBA represents companies and individuals who are currently, or who intend to be in the business of equine processing. The Association is structured to provide service and support to equine harvest businesses, and the use of horses for food, dairy, leather, and by-products. The association provides technological systems, animal care standards, and advocacy activities.
9. I am a lifelong rancher and meat producer involved deeply in this particular issue since 2007 when HSUS was successful in closing the last three remaining plants in the United States which very quickly resulted in severe and far-reaching negative impacts in the horse industry. I helped form the initial grass roots volunteer organization United Horsemen, which still exists as a separate 501(c)3 nonprofit educational and charitable organization dedicated to building a better future for horses and

horse people by focusing on returning humane and regulated processing of horses to the United States, and controlling the over population of wild and feral horses on federal, state, tribal, and private lands. Besides leading the IEBA, I also am President/CEO of Chevaline, LLC, a marketing and facility coordination company opening horse processing facilities nationwide, and providing marketing services for other companies.

10. The IEBA has adopted the Humane Handling Assessment Tool and Guideline for Horses at Processing which has been developed in Canada by the Horse Welfare Alliance of Canada, and which is now implemented in well run Canadian horse processing plants. This system, developed by humane handling expert Jennifer Woods with oversight from Dr. Temple Grandin, Joey Astling of the USDA-APHIS Slaughter Horse Transport Program, and others goes above and beyond the minimum requirements which have always been in place under the U.S. Humane Methods of Slaughter laws. IEBA members commit to following these high standards and to regular and consistent internal and external monitoring to see that standards are enforced.
11. The IEBA has developed a thorough and effective system of horse identification, tracking, and testing both prior to animals arriving at the processing facility, as well as rigorous and scientifically valid testing of meat to ensure that all meat is 100% free of drug and residue contamination. This system is auditable and provides assurance to regulators and customers that all meat provided by IEBA member facilities is of the highest quality and safety. In addition, IEBA works with the scientific community to ensure that withdrawal periods and testing methods are thorough and valid.
12. There is absolutely no credible evidence of any kind that horse processing facilities would be any more detrimental to the environment than any of the thousands of meat processing facilities for all other kinds of meat. If anything, by providing a valuable use and purpose for otherwise worthless animals the horse processing industry will be improving the environment as it will eliminate the likelihood that horses get turned onto public and tribal lands to further increase the significant damage done to land resources by overpopulated feral herds. As to the safety of the nation's food supply, since the testing of equine meat far exceeds that of any other meat species already, and the industry has stepped up to provide a fail-safe

system to ensure zero drug residue, the notion that pure meat prepared in a USDA inspected facility under sanitary conditions would endanger the food supply is simply ludicrous.

13. IEBA member companies are seeking to open horse processing facilities elsewhere in the country and the inordinate delay that Valley Meats has endured has prevented all other companies from opening as well. In addition, IEBA represents businesses throughout the equine supply chain including horse buyers, and truckers, in New Mexico who have been directly prevented from conducting business with the Valley Meat facility as a result of this delay.
14. Our member companies would be prevented from providing a valuable commodity with a worldwide market to those who want to use it. They would be prevented from creating jobs and economic opportunity in hard hit rural communities and tribal areas across the nation. The lack of a viable secondary market for otherwise unusable or unwanted horses provides a baseline value to the entire horse industry, and a humane option to horse owners. Without this secondary option it is inevitable that the entire horse industry in the United States will continue to decline. Already, just since 2007, all of the major United States horse breed registries have seen in excess of 70% decline in the number of foals bred and raised.
15. We have already been delayed for over a year since Congress lifted the riders from the Ag Appropriations bill due to USDA's review of their equine inspection procedures, and their validation of the science underlying their drug residue procedures. This in spite of the fact that they had all of these programs in place and functioning in 2007. Every day that the plants are delayed means that jobs are not created, value is not created, economic opportunity for companies and communities is not realized, and more horses are left to suffer unspeakable fates because they have no value or outlet. The imposition of NEPA process would only provide unrelated third parties with ulterior motives and political agendas to further delay and obstruct the restoration of the industry.
16. Currently there are approximately 2,500 head of horses per week going to Mexico for processing and 1,500 to Canada. Once those horses cross the border, they are out of the United States' jurisdiction. If we want animals

to be handled under the highest standard in the world -- the U.S. Humane Methods of Slaughter laws – then it would be much better to have that happen in the United States where our horse industry, veterinarians, and experts can oversee the entire process.

17. The meat and poultry industry is the largest segment of U.S. agriculture. Total meat and poultry production in 2011 reached more than 92.3 billion pounds. There are 6,278 federally inspected meat and poultry slaughtering and processing plants in the U.S., as well as thousands of custom exempt and state inspected plants. Equine processing facilities are identical to plants processing beef, bison, and other large mammals. These facilities are all permitted for environmental compliance through local and state laws, and there is no requirement for NEPA for any other meat plant. There is no credible argument that could be made that horse plants would be any different than existing plants. In fact, the companies seeking to open horse facilities now, including Valley Meats, are simply upgrading existing beef plants which have been in place for many years without environmental problems with their lagoons or other waste handling facilities.
18. The local community would be adversely impacted if the Valley Meat facility is not inspected in a timely manner so that it may open. Once a viable and potentially thriving business providing more than 50 good jobs would be prevented from operating, paying taxes to support the local revenue base, and all of the resulting economic benefits of local business with the dollars staying in the local community and rolling over several different times.
19. Further, horse owners would be deprived of a humane and economically beneficial use for animals they wish to sell, which further depresses the horse market.
20. IEBA member companies and supporters are seeking to open facilities in at least 13 states with facilities ready, or nearly ready to open in not only New Mexico, but Missouri, and Iowa, and new facilities on the drawing board in Wyoming and Oregon. Once it is shown that facilities can be opened, can process horses humanely and provide safe, high quality product a robust worldwide market awaits, as well as a good niche market with health conscious, gourmet, and value conscious consumers in ethnic communities and elsewhere in the U.S. it is expected that numerous small

and mid-sized beef and bison plants will be converted to equine, or will become multi-species processing facilities capable of processing beef, bison, and equine. Besides the initial workforce employed directly by the plants which will likely average around 50 employees per plant, each plant will be supported by a wide network of buyers, transporters of both live animals and product, airline personnel, contractors providing everything from sanitation to marketing services, and more.

21. As mentioned before, the domestic horse industry in the United States has been severely impacted by the closure of the plants as was clearly delineated in the GAO study “Horse Welfare: Action Needed to Address Domestic Slaughter Cessation” which was released in June 2011. With the breed registries all reporting 70% fewer horses being bred it doesn’t take much of a leap to extrapolate a severe contraction in the industry representing a corresponding decrease in the number of jobs, equipment and supplies being sold, decrease in service businesses surrounding the equine industry, the ripples extend far and wide. Nationwide, we have seen a dramatic upsurge of horses abandoned, neglected, and turned out to starve to death under horrific circumstances as the result of a lack of market.
22. There will be a huge economic impact if horse slaughter facilities are not opened. Beyond the obvious impact of the lack of access to a market, and the loss of value of livestock, the jobs that would not be created, the tax revenues that would not be collected, etc. etc.
23. Currently Mexico and Canada are paying rock bottom prices for the very best meat horses. When processing plants open in the United States, there will once again be a competitive reasonable market. This will raise the price of the best number one horses, as well as provide a viable outlet for horses who simply cannot be sold at any price today because they have blemishes or are not in perfect shape.
24. There is no more negative environmental impact from horse slaughter facilities than any other meat plants. Please note that all proposed plants seeking to open as equine plants at the present time are former beef plants that have more than enough capacity to deal with waste streams, and already have all the required environmental permits and facilities.
25. There is a positive environmental impact from the opening of horse slaughter facilities. By providing a humane option for horses otherwise

unneded and unwanted you not only improve the environmental picture in terms of horses that are likely to be turned out on already heavily impacted public and tribal lands, but you also prevent this very vulnerable group of horses from being at high risk of neglect and abandonment.

- 26. Horse slaughter is humane. Horse meat is safe, nutritious, affordable, and delicious. The absence of a valuable use for otherwise unwanted horses results in immediate tragedy, increased suffering, loss of economic opportunity, environmental degradation, and unnecessary taxpayer burden. The answer is simple and obvious. Allow a properly regulated industry that protects the rights and choices of horse owners, while restoring a normal market that creates jobs, offers opportunity, and ends the unnecessary misery of horses.
- 27. Attached is a brochure labeled "The Promise of Cheval" which is a comprehensive report as to an accurate representation of the position of the majority of the horse industry.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this _____ day of February, 2013.

Sue Wallis

STATE OF WYOMING)
) ss.:
COUNTY OF LARAMIE)

The foregoing instrument was subscribed and sworn under oath before me by Sue Wallis, this _____ day of February, 2013.

Notary Public/My Comm. Exp.:_____