



Potential Farm Sector Effects of 2009 H1N1 “Swine Flu”: Questions and Answers

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Summary

In March 2009, a number of cases of an influenza-like illness and severe respiratory infections in humans were reported in parts of Mexico. These cases were later confirmed to be a strain of influenza A(H1N1), commonly referred to as "swine flu" and later called 2009 H1N1. By the end of April 2009, confirmed human cases of 2009 H1N1 infection were reported throughout Mexico, in parts of the United States, and in several countries worldwide.

Reports of the outbreak—coupled with the use of the initial moniker "swine flu"—initially caused a downturn in domestic and international pork markets. Domestic pork demand and prices dropped sharply because of consumer fears that eating pork might result in infection. Several pork-importing countries also began to consider instituting trade bans and restrictions on live pig and pork imports from certain countries, including the United States. This initial reaction further rippled throughout pork and other agricultural markets, such as feed grain and other livestock markets, as market analysts attempted to speculate about the short- and long-term consequences of a decline in pork demand and prices.

The Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO), and the World Organization for Animal Health (OIE) confirm that there is no evidence that the 2009 H1N1 virus is transmitted by food and that humans cannot get the illness from eating properly handled pork or pork products. Four global organizations—WHO, OIE, the World Trade Organization (WTO) and the United Nations Food and Agriculture Organization (FAO)—also issued a joint statement that "pork products handled in accordance with hygienic practices are not a source of infection." Also, in the United States, the CDC and the U.S. Department of Agriculture (USDA) report that there is no evidence at this time that pigs in the United States are infected with this virus strain.

Administration officials and many in Congress are strongly urging U.S. trading partners to base any food safety measures on scientific evidence and to act in accordance with their international obligations under the World Trade Organization (WTO), OIE guidelines, and WTO member obligations under the Sanitary and Phytosanitary (SPS) Agreement. OIE, among other international organizations, has stated that there currently is no justification for imposing trade measures against the importation of pork and pork products. As some countries are continuing to pursue trade restrictions on North American pork products, some affected exporting countries are considering formal trade actions in the WTO.

U.S. pork producers hope these efforts to avoid further negative effects on U.S. pork and other agricultural markets are successful. Initially, many market analysts predicted that the U.S. pork industry would be adversely affected by expected lower market prices from a decrease in consumer and export demand for U.S. pork products. The National Pork Producers Council (NPPC) has sent a letter to USDA to request assistance for the U.S. pork industry to address the hog sector losses it asserts have been caused by consumer fears in response to the 2009 H1N1 outbreak. Members of Congress from districts with important meat sectors are likely to pay close attention to developments during 2009.

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General Overview¹

What Is Swine Flu?

Swine flu refers to strains of influenza ("flu") that occur naturally and may cause outbreaks of respiratory illness among wild and domestic pigs. People do not normally get swine flu, but each year the Centers for Disease Control and Prevention (CDC) identifies a few isolated cases of human flu that are caused by flu strains typically associated with swine.

What Is 2009 Influenza A(H1N1)?

The current outbreak of concern is caused by a new strain of flu virus that produces illness in people. It is one of several flu virus strains designated as influenza A(H1N1) for specific proteins on their surface. This new virus was first detected in people in the United States in April 2009. Mexico, Canada, and other countries around the world have reported human cases of illness from the new flu strain. The virus appears to spread from person to person in much the same way as with seasonal flu.

Why Is This New H1N1 Flu Virus Sometimes Called "Swine Flu"?

This virus was originally referred to as "swine flu" because laboratory testing showed that many of its genes were similar to flu viruses that normally occur in pigs in North America. Further study has shown that this new virus is very different from what normally circulates in North American pigs. It has two genes from flu viruses that normally circulate in pigs in Europe and Asia, as well as genes from flu strains that normally circulate in humans and in birds. At this time, there is no evidence that pigs were involved in the transmission of the new flu virus to humans.

For more background information, see CRS Report R40554, *The 2009 Influenza A(H1N1) "Swine Flu" Outbreak: An Overview*, by Sarah A. Lister and C. Stephen Redhead. General information is also available at the CDC and WHO websites.²

Food Safety and Human Health Concerns

Can Humans Get 2009 H1N1 Flu from Eating Pork and Pork Products?

The CDC, the WHO, and the World Organization for Animal Health (OIE)³ confirm that there is no evidence that 2009 H1N1 virus is transmitted by food.⁴ These organizations have repeatedly

¹ This section is adapted from information provided by CDC on the website "H1N1 Flu (Swine Flu)," <http://www.cdc.gov/h1n1flu/>.

² CDC: http://www.cdc.gov/swineflu/general_info.htm; WHO: <http://www.who.int/csr/disease/swineflu/en/>.

³ OIE is the intergovernmental organization responsible for improving animal health worldwide, and is recognized as a reference organization by the WTO. The organization is still known by its former French abbreviation, OIE (Office International des Épizooties), though it was renamed the World Organization for Animal Health.

emphasized that humans cannot get 2009 H1N1 flu, or any other type of flu, from eating pork or pork products. Some have further emphasized the importance of eating properly handled and cooked pork and pork products, and recommend cooking pork to an internal temperature of 160°F/70°C. This corresponds to the general guidance for the preparation of pork and other meat to kill all viruses and other foodborne pathogens.

The U.S. Department of Agriculture (USDA) has repeatedly said that the 2009 H1N1 flu is not a foodborne disease and that eating properly handled and cooked pork or pork products is safe.⁵ These same arguments were made by medical and veterinary authorities at congressional hearings.⁶ The American Veterinary Medical Association (AVMA) further claims that “neither exposure to pigs nor consumption of pork are risk factors for infection.”⁷

Four intergovernmental organizations—WHO, OIE, the World Trade Organization (WTO), and the United Nations Food and Agriculture Organization (FAO)—issued a joint statement that “pork products handled in accordance with hygienic practices are not a source of infection.”⁸ The European Centre for Disease Prevention and Control (ECDC) also states that “influenza virus is not transmitted by eating properly handled and cooked pork and pork products,” and the European Food Safety Authority (EFSA) claims it is “not aware of any scientific evidence of risk to pork consumers from influenza viruses regardless of the type of pork consumed.”⁹

Given the safety of eating pork and pork products, along with the fact that the disease is primarily transmitted from human to human, several U.S. and international organizations argued that the disease should not be called “swine flu.” The CDC, WHO, and OIE, among others, now recommend instead referring to the disease by its scientific name, influenza A(H1N1) or 2009 H1N1.

Can Humans Get 2009 H1N1 Through Contact with Pigs or with Uncooked Pork?

The WHO and CDC continue to emphasize that humans typically contact this type of flu through human-to-human contact, or through contact with infected pigs or environments contaminated with the virus. However, there is no current evidence of humans acquiring infection directly from live pigs. OIE further notes that pork and pork products, “handled in accordance with good

(...continued)

⁴ CDC: http://www.cdc.gov/swineflu/general_info.htm; WHO: <http://www.who.int/csr/disease/swineflu/en/>; and OIE: http://www.oie.int/eng/press/en_press2009.htm?e1d3.

⁵ USDA, “Questions and Answers,” Release No. 0131.09; and USDA, “Update By Secretary of Agriculture Vilsack Regarding USDA Outreach Efforts Regarding H1N1 Flu,” April 27, 2009, Release No. 0132.09.

⁶ See testimony, for example, from a Senate Labor, Health and Human Services, Education, and Related Agencies Appropriations Subcommittee hearing, April 28, 2009.

⁷ AVMA, “AVMA advises consumers that pork and pork products are safe for consumption,” April 29, 2009, http://www.avma.org/press/releases/090429_pork_products_safe.asp.

⁸ WTO, “Joint FAO, WHO, OIE, WTO Statement on A/H1N1 Virus,” May 2, 2009, http://www.wto.org/english/news_e/news09_e/jt_stat_02may09_e.htm.

⁹ ECDC, “Frequently asked questions on influenza virus A(H1N1),” May 3, 2009, http://www.ecdc.europa.eu/en/files/pdf/Health_topics/090503_FAQs_Influenza%20AH1N1.pdf; and EFSA, “New influenza A (H1N1),” May 3, 2009, http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902500487.htm.

hygienic practices recommended by the WHO, the Codex Alimentarius Commission,¹⁰ and the OIE, will not be a source of infection"; and it recommends that "authorities and consumers should ensure that meat from sick pigs or pigs found dead are not processed or used for human consumption under any circumstances."¹¹

EFSA has further stated that it is "not aware of any scientific evidence of risk to pork consumers from influenza viruses regardless of the type of pork consumed," including raw meat, although it is quick to cite longstanding food safety advice that proper cooking kills bacteria or viruses which may be found in foods, and may prevent possible risk of foodborne illness.¹² USDA is also reminding consumers to practice good food hygiene and "safe food handling and preparation techniques for all meat and poultry."¹³

Do Any Pigs Have the Virus That Has Infected Humans?

In the United States, USDA and other veterinary experts confirm that, as of this date, there has been no evidence that U.S. swine are infected with the 2009 H1N1 virus; the 2009 H1N1 virus has also not been reported in feral pigs in the United States.¹⁴ USDA and a network of federal veterinarians, state animal health officials, and private practitioners are regularly monitoring U.S. swine for signs of significant disease.¹⁵

The H1N1 flu virus was found in a swine herd in Alberta, Canada. This incident was reported to the OIE and was confirmed to have resulted from human-to-pig transmission.¹⁶ The Canadian Food Inspection Agency (CFIA) said it has taken all necessary precautions and has placed the herd under quarantine. CFIA maintains that Canadian pork continues to be safe to eat.¹⁷

The *U.S. Animal Health & Productivity Surveillance Inventory* ("Inventory")¹⁸ maintained by USDA's Animal and Plant Health Inspection Service (APHIS) does surveillance for avian flu,¹⁹ but currently does not do surveillance for swine flu because of information limitations:²⁰

¹⁰ Codex is the international food safety organization that develops food standards, guidelines and codes of practice under the Joint FAO/WHO Food Standards Programme.

¹¹ OIE, "Joint FAO/WHO/OIE Statement on influenza A(H1N1) and the safety of pork," reissued May 7, 2009, http://www.oie.int/eng/press/en_090507_bis.htm.

¹² EFSA, "New influenza A (H1N1)," May 3, 2009, http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902500487.htm.

¹³ USDA, "Questions and Answers," Release No. 0131.09.

¹⁴ AVMA, "Frequently Asked Questions About 2009 H1N1 Flu Virus," May 4, 2009, http://www.avma.org/public_health/influenza/new_virus/new_flu_virus_faq.asp.

¹⁵ USDA, "Questions and Answers," Release No. 0131.09.

¹⁶ OIE, "Immediate Notification Report," May 2, 2009, http://www.oie.int/wahis/reports/en_imm_000008065_20090505_191855.pdf.

¹⁷ CFIA, "An Alberta Swine Herd Investigated for H1N1 Flu Virus," May 2, 2009, <http://www.inspection.gc.ca/english/corpaffir/newcom/2009/20090502e.shtml>.

¹⁸ USDA, APHIS, Animal Health Monitoring & Surveillance, <http://www.aphis.usda.gov/vs/nahss/inventory.htm>.

¹⁹ Ibid. Surveillance and monitoring activities related to avian influenza.

²⁰ USDA, APHIS, U.S. Animal Health and Productivity Surveillance Inventory, <http://nsu.aphis.usda.gov/inventory/background.faces>.

Currently, the Inventory includes all animal health surveillance programs conducted by Veterinary Services, as well as all animal health monitoring studies completed by the National Animal Health Monitoring System (NAHMS). Information on certain additional animal health surveillance programs or studies conducted by USDA and other Federal agencies is also currently included.

There were initial reports that the 2009 H1N1 flu had possibly originated at a business unit of Smithfield Foods Inc. located in Veracruz, Mexico.²¹ Smithfield has repeatedly reported that there is no evidence of the presence of 2009 H1N1 influenza in any of the company's swine herds or in its employees at any of its worldwide operations, including those in the United States.²²

U.S. Pork Market Effects

How Have U.S. Consumers Reacted to Reports of the Outbreak?

In late April, amid early reports of the spread of 2009 H1N1 flu, retail outlets reported that consumers were leery of buying pork because of fears that the disease may be linked to pork consumption. Tyson Foods Inc. also reported a drop in domestic pork sales.²³ As domestic sales fell, retail and wholesale hog prices fell sharply, along with hog and pork-belly futures prices on the Chicago Mercantile Exchange.²⁴ This drop in prices coincided with seasonal fluctuations in the hog market that would normally have caused prices to be higher. Economists at Purdue University estimate that Indiana hog producers were losing about \$5 a head on April 24, compared to estimated losses of about \$20 immediately following reports of the initial outbreak in March.²⁵ Stock analysts also reportedly downgraded the stock of Tyson Foods Inc. and Smithfield Foods Inc. and lowered annual earnings estimates for these companies.²⁶

Reduced demand for pork could have adverse ripple effects throughout the hog sector, resulting in production changes as producers respond to lower prices. Hog producers may choose to curtail planned farrowing and/or decrease their demand for weaned feeder pigs; or they may choose to liquidate or reduce herd sizes, if lower prices result in low/negative meat-to-feed profit margins.

As of the end of April, consumers were still confused by how humans can get the 2009 H1N1 flu. For example, a phone survey conducted by the Harvard School of Public Health on April 29 asked 156 consumers about the ways humans can get the 2009 H1N1 flu. Most (83 respondents) said: "From being in close contact with someone who has swine flu—that is, within about three feet." However, others responded that humans can get the 2009 H1N1 flu "From being near

²¹ See, for example, S. Fainaru, "Mexicans blame industrial hog farms," *Washington Post*, May 10, 2009; and R. Roberson, "Smithfield says it's not the source of H1N1," *Southeast Farm Press*, May 8, 2009.

²² See, for example, Smithfield Foods Inc., "Smithfield foods reaffirms no incidence of A(H1N1) in any of its herds or employees," May 3, 2009, <http://investors.smithfieldfoods.com/releasedetail.cfm?ReleaseID=381309>.

²³ "Tyson Foods saw dip in pork sales as flu spread," *Reuters*, May 4, 2009.

²⁴ See, for example, B. Baskin, "Oil Slips Below \$50 a Barrel on Swine-Flu Worries," *Wall Street Journal*, April 29, 2009; W. McFerron, "Hog Futures Fall as Swine Flu Reduces Pork Trade; Cattle Rise," *Bloomberg.com*, April 28, 2009; and W. Cheng, "China, Indonesia Ban Pork From Mexico, U.S. on Flu," *Bloomberg.com*, April 27, 2009.

²⁵ C. Everson, "Hog farmers brace for financial pain of swine flu," *Associated Press*, May 6, 2009.

²⁶ J. Wilson and T. C. Dreibus, "Corn, Soybeans, Wheat Drop as Swine Flu May Cut Animal-Feed Use," *Bloomberg.com*, April 27, 2009.

someone who has swine flu, but not in close contact—that is, being at thirty feet away” (29 respondents) and “From coming in contact with pigs” (34 respondents). Others indicated that they thought humans can get the 2009 H1N1 virus “From eating pork” (13 respondents).²⁷

How Have U.S. Trading Partners Reacted to Reports of the Outbreak?

Citing public health and safety concerns, several countries have initiated or implemented steps to ban or restrict U.S. pork or pork products. Reports differ among governmental, industry, and other media sources regarding which importing countries are instituting restrictions and which imported product lines will be targeted. Following the initial reports of the outbreak, the U.S. Meat Export Federation (USMEF) and other media reports confirmed that several countries, among them China (but not Hong Kong) and Russia, had instituted official full or partial trade restrictions on U.S. pork products (see box).²⁸ By the following week, some countries had announced that they would lift their import ban; however, other countries announced that they too would ban all pork imports.²⁹ Many of these countries have also imposed these same restrictions on Mexican and Canadian pork and pork products. South Korea has instituted a partial ban, suspending imports only of live swine, but has not suspended trade for pork imports. Conflicting media reports have listed some other countries that to date have not imposed trade restrictions, such as Bolivia, Costa Rica, Guatemala, and the Philippines.³⁰

Restrictions vary by country. For example, Russia has announced it will restrict all livestock and meat products, including beef, pork, and poultry, from selected states, and restrict all pork from several other selected states; China is restricting pork and live pigs from most, but not all, U.S. states. Some countries are banning all pork products, whereas other countries are restricting certain products only. The United States is among the largest supplier of pork products to both China and Russia.³¹

²⁷ Harvard School of Public Health, “Swine Flu (H1N1 Virus) Survey,” Harvard Opinion Research Program, April 29, 2009, http://www.hsph.harvard.edu/news/press-releases/files/Swine_Flu.TOPLINE.pdf. Survey was funded under a cooperative agreement with the CDC, and based on a total of 156 interviews. See responses to survey question 9.

²⁸ As reported by various news media and information cited and/or reported from USTR, USDA, and the U.S. Meat Export Federation (USMEF).

²⁹ T. Johnston, “Some countries are over H1N1 scare, some aren’t,” *Meatingplace Online*, May 11, 2009.

³⁰ See, for example, Reuters news wire, “Countries slap bans on pork after flu outbreak,” April 30, 2009, as compared to other reports, such as T. Johnston, “More trading partners prohibit U.S. pork on swine flu fears,” *Meatingplace Online*, April 27, 2009.

³¹ *Global Trade Atlas* data, 2006-2008.

Importing Countries with Official Full or Partial Bans on U.S. Pork Imports (as of May 11, 2009)

Armenia: Media reports indicate all pork imports have been banned, effective May 8, 2009.

China: Trade suspension is limited to uncooked pork and pork products, and applies only to states with confirmed H1N1 cases. Fresh/frozen and heat-treated pork and pork products are ineligible if derived from swine raised or slaughtered in most U.S. states. Pork and pork products also may not transit these restricted states even if the truck, container, or railcar is sealed. *Hong Kong is not included in any portion of China's suspension.*

Croatia: Effective April 29, suspended imports of pork and pork products, but does not include cooked, canned, or hermetically sealed products. Media reports indicate the ban was lifted on May 8, 2009.

Ecuador: Effective April 28, suspended pork and pork products regardless of slaughter date.

Honduras: Effective April 24, suspended all U.S. and Mexican fresh pork products. Cooked and processed pork meat allowed if cooked to 68°C for 30 minutes or 71°C for 3 minutes.

Indonesia: Effective April 27, suspended imports of all pork and swine from outside its borders.

Kazakhstan: Effective April 28, suspended pork imports from Texas, California, and Kansas, but is expected to extend this ban to other affected states as well.

Malaysia: Media reports indicate all pork imports have been banned, effective May 8, 2009.

Russia: Starting on April 21, suspended fresh/frozen poultry meat, pork, and beef from animals raised or slaughtered in selected states. Trade suspension is limited to uncooked pork and pork products. Heat-treated (not less than 80° Celsius for not less than 30 minutes) meat and poultry products from these states are eligible. Products from other states may continue to transit through any of the restricted states.

Saint Lucia: Effective April 27, suspended import of fresh and frozen pork, live pigs, and swine semen.

Serbia: Currently effective, U.S. pork and pork products are already listed as ineligible for export to Serbia due to a lack of certification requirements.

Thailand: Effective April 27, suspension covers all U.S. states, and includes all uncooked pork products including meat (fresh, chilled, and frozen), offal, live animals, semen, embryos, and hides and skins. Processed pork products such as canned foods or food in sealed containers are still eligible.

Ukraine: Effective date April 21, suspended imports of pork, live pigs, and pork products from all states. Other products of animal origin can be imported under existing regulations if these are accompanied by valid health certificates.

United Arab Emirates: Effective April 27, suspended pork from several countries, including the United States. It remains unclear whether transshipments will be allowed.

Other reported restrictions: South Korea has instituted a partial ban, suspending imports only of live swine from North America, but has not suspended trade for pork imports (although it has instituted increased screening and inspection of pork from the United States).

Countries that have not imposed trade restrictions, but may have appeared in news reports regarding import bans, include Bolivia, Costa Rica, Guatemala, and the Philippines.

USMEF "watch list": Countries that have been reported as ready to impose full or partial suspensions include Albania, Bahrain, Brunei, Colombia, Dominican Republic, El Salvador, Ghana, India, Jordan, Kyrgyzstan, Kurdistan region, Iraq, Lebanon, Nicaragua, and Uzbekistan.

Sources: USMEF, "USMEF Export Issues—Influenza Update," May 4, 2009; "China bans pork from 17 more U.S. states on apparent flu fears," *Meatingplace Online*, May 5, 2009; and T. Johnston, "Some countries are over H1N1 scare, some aren't," *Meatingplace Online*, May 11, 2009.

How Important Are Export Markets to the U.S. Pork Sector?

Foreign sales are a critical source of income for the U.S. meat and poultry industries, with the United States now exporting more than one-fourth of its annual pork production.³² Fresh, chilled, and frozen pork products account for the bulk of U.S. annual pork exports (**Table 1**). China and Russia are among the top ten largest international markets for U.S. pork, and represented 15% percent of total U.S. pork exports in 2008 (**Table 2**).

Table 1. U.S. Pork Product Exports, by Type
(annual and three-year average, 2006-2008, and percentage share; \$ millions)

HTS Category	2006	2007	2008	Avg. 2006-2008	% Share 2008	% Share 2006-2008
Live pigs	25	19	28	24	1%	1%
Fresh, chilled, frozen pork	2,222	2,488	3,789	2,833	84%	86%
Processed pork products	131	152	204	162	5%	5%
Offal and other products	186	211	481	293	11%	9%
Total	2,564	2,870	4,503	3,312	100%	100%

Source: Compiled by CRS using data from the U.S. International Trade Commission, <http://dataweb.usitc.gov>.

Notes: By U.S. Harmonized Tariff Schedule (HTS), includes live pigs (HTS 0103), fresh, chilled, and frozen pork (HTS 0203), processed pork products (HTS 1602.40), and offal and other pork products (HTS 0206.40, 0502). Imports for consumption (U.S. dollars). Nominal U.S. dollars.

Table 2. U.S. Pork Product Exports, by Country
(annual and three-year average, 2006-2008, and percentage share; \$ millions)

Country	2006	2007	2008	Average 2006-2008	% Share 2008	% Share 2006-2008
Japan	1,034	1,144	1,529	1,236	34%	37%
Mexico	429	363	574	455	13%	14%
Canada	388	452	516	452	11%	14%
Russia	145	182	402	243	9%	7%
Hong Kong	42	82	350	158	8%	5%
Korea	227	224	275	242	6%	7%
China ^a	47	138	271	152	6%	5%
Australia	52	71	95	73	2%	2%
Philippines	10	17	49	25	1%	1%
All Other	190	196	440	275	10%	8%
Total	2,564	2,870	4,503	3,312	100%	100%
Potential Loss^b	208	342	738	429	16%	13%

Source: Compiled by CRS using data from the U.S. International Trade Commission, <http://dataweb.usitc.gov>.

Notes: By U.S. Harmonized Tariff Schedule (HTS), includes live pigs (HTS 0103), fresh, chilled and frozen pork (HTS 0203), processed pork products (HTS 1602.40), and offal and other pork products (HTS 0206.40, 0502). Imports for consumption (U.S. dollars). Nominal U.S. dollars.

a. China does not include Hong Kong.

b. "Potential Loss" based on reported U.S. exports from countries with import bans (see box).

³² *CattleFax Update*, August 29, 2008.

What Share of U.S. Pork Exports Is Represented by Countries Restricting Trade?

Countries that have instituted full or partial bans, as of mid-May, on U.S. pork exports as a result of the 2009 H1N1 flu outbreak represent 13%-16% of U.S. annual pork trade, based on trade data for the past three years from 2006 through 2008 (**Table 1**). The bulk of this lost potential is the result of restricted trade from Russia and China. The other countries that are restricting U.S. pork imports comprise a small overall share of annual U.S. pork trade. Japan, the largest U.S. market for U.S. pork, with more than one-third of the market in 2008, has repeatedly indicated that it will not restrict U.S. pork exports; also, Hong Kong, despite mainland China's trade restrictions, has also indicated that it will not restrict trade.³³

What Are the International Obligations of Our Trading Partners?

Under WTO rules, health and safety measures applied to imports must be supported by scientific evidence. Administration officials and many in Congress are strongly urging all U.S. trading partners to base any food safety measures on scientific evidence and to act in accordance with their international obligations under the WTO, OIE guidelines, and WTO member obligations under the Sanitary and Phytosanitary (SPS) Agreement.³⁴

Regarding 2009 H1N1, OIE—the global animal health standards organization—asserts that “the imposition of ban measures related to the import of pigs and pig products do [*sic*] not comply with international standards published by the OIE and all other competent standard setting international bodies for animal health and food safety.”³⁵ Accordingly, it is argued, there currently is no justification for imposing trade measures against the import of pork and pork products based on 2009 H1N1.

What International Actions Are Being Taken?

As some countries continue to pursue trade restrictions on North American pork products, some affected exporting countries are considering formal trade actions within the WTO. The U.S. Trade Representative (USTR) is urging all U.S. trading partners to base any food safety measures on scientific evidence in accordance with their international obligations. In a statement, USTR said that “restrictions on U.S. pork or pork products or any meat products from the United States resulting from the recent outbreak do not appear to be based on scientific evidence and may result in serious trade disruptions without cause.” USDA also has emphasized that “the science is clear that consuming or handling pork, consistent with safe handling practices, is of no risk to consumers.”³⁶ Many in Congress also are urging U.S. trading partners to base these decisions on science, and therefore not to ban imports of U.S. pork.³⁷

³³ USMEF, “USMEF Export Issues—Influenza Update,” May 4, 2009.

³⁴ SPS measures refer to any of the laws, rules, standards, and procedures that governments employ to protect humans, other animals, and plants from diseases, pests, toxins, and other contaminants. See also CRS Report RL33472, *Sanitary and Phytosanitary (SPS) Concerns in Agricultural Trade*, by Geoffrey S. Becker.

³⁵ OIE, “OIE reaction to trade restrictions imposed following transmission of virus ‘A/H1N1’ from human to pigs,” May 7, 2009, http://www.oie.int/eng/press/en_090507.htm.

³⁶ USTR, “USTR and USDA Caution Trading Partners to Base Food Safety Measures on Science During Human (continued...) ”

Media reports indicate that Mexico has issued a statement asking its trading partners to "eliminate any restrictive measures established on Mexican products, which are not in accordance with the scientific information available or with their international obligations"; other reports indicate that Canada has said it will consider bringing a WTO challenge to China's ban on imports of Canadian pork.³⁸ The European Union (EU) Standing Committee on the Food Chain and Animal Health also asserts that, based on the available evidence, trade restrictions are not justified.³⁹

Many regard the trade bans and restrictions as politically motivated or intended to protect pork producers in their own countries. Russia, for example, is not competitive on the global market in red meats and poultry, and its domestic production has not kept pace with consumption as incomes rise, even though government policies have attempted to encourage domestic production. In recent years, imports have accounted for a growing share of Russian pork consumption, and reached more than 50% of supplies in 2008.⁴⁰ Russia periodically has imposed SPS measures that have impeded U.S. meat and poultry imports in recent years. In March 2002, Russia announced a ban on U.S. poultry imports over the possible presence of avian influenza in the United States. U.S. officials countered that the ban was not scientifically defensible and was discriminatory.⁴¹

China is among the world's largest pork markets and producers, and imports account for a negligible share of overall supplies. However, imports have grown in recent years and are important to exporting nations such as the United States, given the sheer size of China's market.

The National Pork Producers Council (NPPC) has said it expects current restrictions on U.S. pork exports because of concerns about the H1N1 virus to be temporary, particularly as international authorities continue to emphasize that the virus is transmitted through human contact and not through pork consumption.⁴² However, many producers are concerned that these initial trade restrictions will be difficult to remove, once fully instituted. For example, EU's livestock beef production has not returned to the level it maintained prior to the outbreak of bovine spongiform encephalopathy (BSE), commonly known as "mad cow disease." BSE also affected U.S. beef producers in 2003 when the first U.S. case was announced.⁴³ Russia was among the many countries to ban U.S. beef, although it not had been a major purchaser of such products.

(...continued)

Swine Influenza Outbreak," April 28, 2009.

³⁷ See, for example, "Harkin Statement on the Safety of U.S. Pork," April 28, 2009.

³⁸ "Mexico, Canada Condemn Bans on Pork Exports," *Bridges Weekly*, May 6, 2009.

³⁹ EC, "Statement of the Standing Committee on the Food Chain and Animal Health," May 5, 2009, http://ec.europa.eu/health/ph_threats/com/Influenza/docs/scfcah_statements.pdf.

⁴⁰ USDA, "Pork Summary Selected Countries," *Production, Supply and Distribution Online*.

⁴¹ See CRS Report RS22948, *U.S.-Russia Meat and Poultry Trade Issues*, by Geoffrey S. Becker.

⁴² NPPC, NPPC Expects Export Restrictions to be Temporary," *PigSite.com*, May 1, 2009.

⁴³ G. Blumenthal, "Influenza Trade Enforcement Needed," *World Perspectives, Inc. Daily Wire* April 29, 2009.

Other U.S. Farm Sector Effects

How Have Other U.S. Agricultural Markets Been Affected by the Outbreak?

Initially, as domestic pork sales fell in response to the spread of the H1N1 flu, futures prices for corn, soybeans, and wheat declined sharply.⁴⁴ This was a result of concerns that lower pork demand and production could reduce demand for other commodities, including U.S. feed grains and protein meals (like soybeans), as well as other farm inputs. Analysts predict that feed prices will likely continue to be very volatile, but difficult to anticipate.⁴⁵ For example, grains prices have moved higher since their initial drop following early reports of the outbreak.⁴⁶ In other livestock markets, wholesale beef and cattle futures prices were initially higher following reports of the outbreak.⁴⁷ The U.S. produce sector also expressed concerns about possible restrictions on fresh produce trade with Mexico and the processing of agricultural guest labor workers from Mexico because of the 2009 H1N1 outbreak, but these fears so far have not materialized.⁴⁸

What Are the Estimated Aggregate Market Costs to the U.S. Agriculture Sector?

Initial reports of the aggregate economic effects to the farming sector—especially to U.S. hog producers—were grim. Analysts at the University of Missouri have estimated that the U.S. pork industry could see losses of up to \$400 million in the next few months, given lower market prices.⁴⁹ Analysts at Purdue University have estimated that from 25% to 33% of U.S. hog producers may be “forced to reconsider their positions in the industry.”⁵⁰ Yet 2009 H1N1 is expected to have less of an impact on the pork industry than BSE had on the beef industry in 2003 or avian influenza on the poultry industry in 2005-2006.⁵¹ Analysts with World Perspectives, Inc., note that although pork prices have declined, supplies are also lower than last year, and it remains unclear whether pork sales have actually decreased.⁵² In other markets, analysts at the University of Illinois highlight that “grains have had quite a rally in prices, after the market’s initial ‘knee-jerk’ reaction,” although pork prices continue to be lower.⁵³

NPPC has sent a letter to USDA to request assistance for the U.S. pork industry to compensate for losses it says it has incurred since the 2009 H1N1 outbreak. Specifically, NPPC is asking USDA

⁴⁴ University of Illinois Extension, “Crop markets react to swine flu,” *Weekly Outlook*, April 27, 2009; and W. Cheng, “China, Indonesia Ban Pork From Mexico, U.S. on Flu,” *Bloomberg.com*, April 27, 2009.

⁴⁵ D. Good, “Crop Markets React To Swine Flu,” *Weekly Outlook*, University of Illinois, April 27, 2009.

⁴⁶ “Grains rally after initial market reaction to ‘swine’ flu,” *Brownfield Network*, May 4, 2009.

⁴⁷ W. Cheng, “China, Indonesia Ban Pork From Mexico, U.S. on Flu,” *Bloomberg.com*, April 27, 2009.

⁴⁸ T. Karst, “Swine flu raises concern about trade, H2-A program,” *The Packer*, May 1, 2009; and subsequent postings on *The Packer* website (<http://www.thepacker.com/>)

⁴⁹ J. Perkins, “Hog industry to take huge hit from Influenza A,” *Brownfield Network*, May 1, 2009.

⁵⁰ C. Thacker, “Pork Producers Ache From Swine Flu,” *Wall Street Journal*, April 30, 2009.

⁵¹ Keefe, L.M., “Pork recovery to take ‘weeks,’: Purdue economist,” *Meatingplace Online*, May 1, 2009.

⁵² Blumenthal, G., “Pork for Pork, Beef Deal,” *World Perspectives, Inc. Daily Wire*, May 6, 2009.

⁵³ “Grains rally after initial market reaction to ‘swine’ flu,” *Brownfield Network*, May 4, 2009.

to implement a purchase program for \$50 million of pork products to help boost cash hog prices; to work with U.S. trading partners to remove all restrictions on exports of U.S. pork and pork products; to develop a comprehensive surveillance program for early detection of swine diseases; and to work to keep open the border between the United States and Canada to allow for movement of hogs.⁵⁴ Members of Congress from districts with important meat sectors are likely to pay close attention to developments during 2009.

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⁵⁴ NPPC, "NPPC Asks USDA To Help U.S. Pork Producers," May 1, 2009, <http://www.nppc.org/News/DocumentPrint.aspx?DocumentID=24693>.