On August 20, the Pennsylvania House of Representatives Agriculture and Rural Affairs Committee held a public hearing on farm conservation funding needs at Ag Progress Days in Rock Springs, Pennsylvania. Much of the testimony during this hearing focused on the Pennsylvania Fair Share for Clean Water Plan (Fair Share Plan). This conservation funding plan is supported by a broad range of organizations including the Pennsylvania Farm Bureau, the Chesapeake Bay Foundation, the Pennsylvania Association of Conservation Districts, the Pennsylvania Builders Association, and the Pennsylvania Municipal Authorities Association.

The Fair Share Plan aims to help Pennsylvania meet its state and federal clean water mandates by funding wastewater plant improvements, providing direct aid to farmers to reduce nutrient runoff through the implementation of agricultural best management practices, funding technical assistance programs provided by county conservation districts, and restoring funds for research, education, and promotion programs. The plan also includes a nutrient credit trading program to encourage future economic growth and development as well as increased opportunities for farmers. A number of bills addressing portions of the Fair Share Plan are pending in both the Senate and the House of Representatives. For more information on the Pennsylvania Fair Share for Clean Water Plan, please visit [www.PAFairSharePlan.org](http://www.PAFairSharePlan.org).

**EUROPEAN FOOD SAFETY AUTHORITY PUBLISHES SCIENTIFIC OPINION ON EFFECTS OF ANIMAL CLONING**

At the request of the European Commission, the European Food Safety Authority (EFSA) recently published a scientific opinion addressing the impact of animal cloning upon food safety, animal health and welfare, and the environment. The EFSA Journal (2008) 767, 1-49. Due to limited available data, the EFSA’s Scientific Committee addressed only two species - cattle and swine - in its opinion. With regard to food safety, the opinion stated that “there is no indication that differences exist in terms of food safety for meat and milk of clones and their progeny compared with those from conventionally bred animals.” The opinion, however, noted that the cloning process created some adverse animal health and welfare impacts including increased morbidity and mortality of cloned progeny. Based upon the available data, the authors of the opinion did not foresee any environmental impact of animal cloning. This opinion did not address the moral or ethical issues associated with cloning animals for food.

The European Parliament (EP) plans to address “the cloning of animals for food supply” during its plenary session on September 2. The EP’s Agriculture Committee has called for a ban on the cloning of animals for the food supply as well as a ban on the importation of cloned animals and products from cloned animals. For more information, visit the [EFSA Animal Cloning](http://www.efsa.europa.eu/en/topics/topic/animal-cloning) or the [U.S. Food and Drug Administration Animal Cloning](http://www.fda.gov/AnimalVets/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/ucm119967.htm) Web pages.

The 2002 Farm Bill included beef, veal, lamb, pork, fish and shellfish, perishable agricultural commodities (fruits and vegetables), and peanuts as covered commodities. The 2008 Farm Bill added chicken, goat, macadamia nuts, pecans, and ginseng to this list. Mandatory COOL became effective for fish and shellfish on April 4, 2005, and will become effective for all other covered commodities on September 30, 2008. For more information on this topic, please visit the USDA Agricultural Marketing Service COOL Web page.

Steckman Ridge Group, a Texas-based energy company, has filed suit in the United States District Court for the Western District of Pennsylvania to acquire subsurface natural gas storage rights in Bedford County. Steckman seeks these rights in eminent domain through the federal Natural Gas Act, 15 U.S.C. § 717f(h), which authorizes the acquisition of private property rights in limited circumstances. The statute requires a certificate of public convenience, which the Federal Energy Regulatory Commission (FERC) issued to Steckman on June 5. The subject landowners object to the establishment of the storage field because it will limit their ability to profit from gas drilling into the Marcellus Shale formation. The landowners filed a motion for reconsideration with FERC, and on July 16, FERC authorized a rehearing of the grant of the certificate. If Steckman prevails in the pending suit, the landowners will be entitled to just compensation for their subsurface storage rights in an amount to be determined by the court. This case has been docketed as 3:08-cv-00177-KRG (W.D. Pa. filed July 15, 2008).

On August 29, the United States Court of Appeals for the District of Columbia Circuit ruled in favor of the United States Department of Agriculture (USDA) in a dispute over a beef producer’s plan to conduct 100% testing for Mad Cow Disease (BSE). Creekstone Farms Premium Beef, L.L.C. v. Department of Agric., Nos. 07-5173, 07-5199, 2008 WL 3980533 (D.C. Cir. Aug. 29, 2008). Creekstone sought to test all of its cattle in an effort to assure its foreign and domestic customers of the safety of its products. USDA denied Creekstone’s request to conduct 100% testing on the basis that universal testing did not provide a benefit due to the lengthy incubation period of BSE and the relative youth of most animals at the time of slaughter. In contrast to universal testing, USDA’s BSE surveillance program is based upon identifying high risk cattle for testing. The court ruled that USDA has the right to regulate BSE testing under the Virus-Serum-Toxin Act, 21 U.S.C. §§ 151-59. For more information on BSE, visit the USDA BSE Web page.