

[No Cannable Cannibals!](#)

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LAW

No Cannable Cannibals!

Oprah escapes the jaws of the Texas beef industry

With reports from Associated Press

Now doesn't that concern you all a little bit, learning that? It just stopped me cold from eating another burger." Oprah Winfrey's sudden statement seemed innocent enough. It was, after all, a shared reaction to a rather grisly report on mad-cow disease. But because she voiced her vow on-the-air to millions of viewers of her April 1996 titan TV talk-show, Texas cattlemen, led by Amarillo feedlot owner Paul Engler, sued the talk show host, her production company and cattle-rancher-turned-vegetarian-activist, Howard Lyman, for over \$10.3 million. The riled ranchers arraigned Oprah for allegedly causing beef prices to plummet roughly \$16 a head, a devaluation of 10 percent, in what they termed the "Oprah crash."

Oprah's exclamation came after hearing Lyman describe how segments of the industry had been feeding ground up dead bovines and other animals back to cows, and how that common practice could be spreading mad-cow disease to humans. (That feeding custom was voluntarily banned in the

US shortly before the show was taped and was outlawed in the summer of 1997.) Lyman said the disease could "make AIDS look like the common cold" and that the US was "following exactly the same path that they followed in England." He then painted the picture that gave Oprah indigestion. "One-hundred thousand cows are fine at night, dead in the morning. The majority of those cows are rounded up, ground up, fed back to other cows. If only one of them has mad-cow disease, it has the potential to effect thousands. Today, in the US, 14 percent of all cows are ground up, turned into feed and fed back to other animals."

Oprah couldn't swallow those facts. "But cows are herbivores," she posed. "They shouldn't be eating other cows." "That's exactly right," countered Lyman. "We should have them eating grass, not other cows. We've not only turned them into carnivores, we've turned them into cannibals." The audience gasped, and Oprah made her vow. "I'm stopped," she swore. And beef prices plunged, argued Engler.

One month into the trial, on February 18, without explanation, US District Judge Mary Lou Robinson rejected the part of the case filed under the state's 1995 "veggie libel" law. This Texan law is meant to protect perishable food products, usually fruits and vegetables, from attack with knowingly false and defamatory statements--hence the law's name. However, the judge did not throw the case out completely. Jurors continued to hear the case as a common-law business disparagement trial, giving the cattlemen a heavier burden of proof than under "veggie libel." They had to prove that Winfrey and parties set out to hurt the beef industry.

On February 26, the jury found the defendants not liable. Outside the courthouse, Winfrey pumped her fists at fans and hollered, "Free speech not only lives, it rocks!" Meanwhile, cattleman Engler emphasized, "We did accomplish the main objective: to convince the people that US beef is safe." (The brain-destroying illness has never been found in US cattle.) He added, "I want to see responsible reporting and responsible talk show hosts." Juror Pat Gowdy helped explain the decision, "We felt that a lot of rights have eroded in this country. Our freedom of speech may be the only one we have left to regain what we've lost."

Nature's response: Though out of Oprah's court for the time being, concern over the disease continues. A recent Reuters report by Paul Tait details chilling facts. It reads, "Creutzfeldt-Jakob disease (CJD) is the human equivalent of mad-cow disease and, like its bovine equivalent, it kills relentlessly and is largely undetectable until after death. The biggest known outbreak was among a tribe practicing cannibalism in the remote highlands of Papua New Guinea in the 1950s.

"CJD and mad-cow disease are types of transmissible spongiform encephalopathies (TSEs). All TSEs have three common threads--the agent that activates them is unknown, they all bore microscopic holes in the brain of their victim and they are always fatal. The agent is not only infectious but has also been shown to be inheritable. It has no cure and no treatment, resists heating, freezing, burial, strong chemicals and medical sterilization. Most TSEs also involve either direct cannibalism or the re-use of body parts in agriculture or medicine." The comments made on Oprah's disputed show

were less ominous than Tait's.1Ã4

Readers may care to know that pet foods, even grain-based feeds, are likely to contain animal parts that your pet would not naturally consume.