



STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

KRISTI L. NOEM | GOVERNOR

May 27, 2021

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20250

Dear Attorney General Garland:

We write to inquire about the status of the civil investigative demands that the U.S. Department of Justice sent to the nation's four largest meatpackers on May 22, 2020. Serious allegations have been raised regarding anticompetitive behavior in the beef industry and the nature of these allegations demand timely action. The impacts of this alleged behavior and the findings of the DOJ investigation have significant consequences for our states.

Perhaps no person embodies the independent and untamable spirit of the United States better than the cattle producer. In addition to raising high quality and affordable beef for consumers, cattle producers are closely tied to the land, working to promote stronger families in their local communities and to conserve our natural resources for future generations. However, this way of life is under threat.

Decades of consolidation in meatpacking has significantly limited the options that producers have to market their cattle and has created a situation where one segment of the beef industry has near total control over the entire market. As a result, the consistently high prices realized on the boxed beef side are not being reflected on the producer side, forcing consumers to pay a premium for beef while threatening many of our producers with the loss of their business. The impacts of this control are most apparently evident when disruptions in the market appear only to have negative downstream effects on the producer side, the fire at Tyson's Holcomb, Kansas plant and the COVID-19 Pandemic being prime examples.

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The loss of the independent cattle producer would devastate not only ranching families and the rural communities they support, but the very health and spirit of our nation.

Producers and consumers deserve fairness and transparency now more than ever. We urge you to continue to investigate this matter with the urgency it calls for and to provide regular updates to the public, where appropriate.

Sincerely,



Kristi Noem
Governor of South Dakota



Pete Ricketts
Governor of Nebraska



Greg Gianforte
Governor of Montana



Doug Burgum
Governor of North Dakota



Kevin Stitt
Governor of Oklahoma



Kim Reynolds
Governor of Iowa