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Ottawa loses yet another legal battle against mad cow class-action lawsuit

TORONTO (CP) - The federal government has lost yet another legal battle against a class-action lawsuit that accuses it of gross negligence in the mad cow crisis.

The statement of claim asserts, among other things, that Ottawa introduced a regulation in 1990 that specifically allowed the feeding of cattle parts to other cattle - the method through which bovine spongiform encephalopathy, or mad cow disease, is transmitted.

It was only in 1997 that Canada banned the feeding of cattle to other cattle.

On Friday, the Ontario Court of Appeal refused to strike down two negligence claims brought against Ottawa by lead plaintiff Bill Sauer, a cattle producer near Niagara Falls, Ont.

The court upheld a lower court decision which found that more evidence was necessary before such a move could be justified.

The decision also dismissed Winnipeg-based cattle-feed company Ridley Canada's attempt to have an allegation against it stricken from the suit, as well as an appeal from Sauer in which he attempted to have yet another allegation against Ridley reinstated.

The suit, launched in April 2005, represents cattle farmers from several provinces.

In May 2003, the discovery of an infected cow in Alberta prompted the United States to close its borders to Canadian cattle and precipitated the crisis.

It was estimated at the time that the industry suffered losses of some \$7 billion.

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Quebec mad cow lawsuit to set precedence for Canadian cattle farmers

MONTREAL (CP) - A Quebec Superior Court ruling has given the go-ahead to a multi-billion dollar class-action lawsuit targeting the federal government's actions during the mad cow crisis.

The lawsuit was filed on behalf of 20,000 Quebec farmers in 2005 who say Ottawa's mismanagement of the BSE file led to billions of dollars in losses for the country's cattle industry.

The claims in the lawsuit have yet to be proven in court.

"For the first time, Quebec beef producers will be heard," said Gilles Gareau, the lawyer heading the suit.

Separate statements of claim have been filed in courts in Ontario, Saskatchewan and Alberta.

Gareau said it is likely the Quebec court ruling, which was handed down on Friday, will set a precedent for courts handling the suits in other provinces.

"In all probability, the Quebec case will become the test case for the rest of Canada," he said.

The suit alleges government officials lost track of 80 British cattle which were judged to be at a high risk of contracting BSE.

Canada's first case of bovine spongiform encephalopathy, or BSE, was discovered in May 2003 and the United States, Japan and dozens of other countries quickly closed their borders to Canadian beef.

The lawsuit seeks compensation for losses it says reach more than \$9 billion across Canada since 2003.

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