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ATTORNEYS FOR PETITIONERS/PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

RANCHERS CATTLEMEN ACTION LEGAL	)	
FUND UNITED STOCKGROWERS	)	
OF AMERICA; et al.	)	
Petitioners/Plaintiffs,	)	No. 19-CV-205-F
vs.	)	
	)	
UNITED STATES DEPARTMENT OF	)	
AGRICULTURE; et al.	)	
Respondents/Defendants.	)	

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**PLAINTIFFS' *SECOND SUPPLEMENTAL* MOTION  
FOR COMPLETION OF RECORD**

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Plaintiffs Ranchers Cattlemen Action Legal Fund United Stockgrowers of America, *et al.*, (collectively, "R-CALF") are filing this *second supplemental* motion under Local Rule 83.6(b)(3) to complete the Administrative Record produced to the Court by Defendants United States Department of Agriculture, *et al.*, (collectively "USDA"). The motion is made necessary by Defendants' continued failure to disclose relevant documents in a timely fashion. As recently as March 16 and 17, 2021, for example, government employees delinquently provided a *sixth, seventh, and eighth* response to the *March 23, 2020* FOIA request, directed to the USDA

subagency Animal and Plant Health Inspection Service (“APHIS”), by releasing over 1000 pages of documents related to APHIS’s plans to require the cattle industry to use Radio Frequency Identification (“RFID”) eartag technology by January 1, 2023. R-CALF has yet again determined that several of the just-released documents are highly relevant to its pending claims against USDA under the Federal Advisory Committee Act (“FACA”). As before, and still to this date, however, Defendants have made no effort to supplement their “Administrative Record” by providing these documents to the Court (despite having possession of these documents since *before* Plaintiffs filed their FACA claims).

**WHO “ESTABLISHED” OR “UTILIZED” THE CATTLE TRACEABILITY WORKING GROUP?**

As we predicted, Defendants are defending against Plaintiffs’ FACA claims by asserting that FACA is inapplicable to their interactions with the two advisory committees at issue in this case—the Cattle Traceability Working Group (“CTWG”) and the Producer Traceability Council (“PTC”). Defendants’ fundamental argument is that they neither “established” nor “utilized” either the CTWG or the PTC, because if they did so, they were required to comply with FACA’s procedural requirements; Defendants have conceded that they did not so comply.

Accordingly, a key issue in this case is how the two committees came into existence and what role they played in Defendants’ ultimate decision to attempt to force RFID requirements on livestock producers. Defendants contend that they played no role in establishing the committees. Plaintiffs believe that the record clearly proves the contrary. The purpose of this *second supplemental* motion to complete the record is to provide additional documents to the Court—documents that should have been included with the Administrative Record filed in *July, 2020* (as supplemented in August 2020)—confirming Plaintiffs’ allegations. These records, only

recently produced by Defendant APHIS, confirm what Plaintiffs have argued all along: that Defendants established or utilized both the CTWG and the PTC for the purpose of implementing an RFID mandate against cattle and bison producers, including the named Plaintiffs here.

**DOCUMENTS TO BE ADDED TO THE ADMINISTRATIVE RECORD**

Having now received a full *eight* “partial” FOIA document dumps from APHIS, it is obvious that Defendants’ “Administrative Record” does not accurately reflect or contain all evidence regarding how they interacted with the CTWG and the PTC. The Administrative Record also remains relatively silent on the issue of *how* and *why* Defendants concluded that they were not required to comply with FACA’s procedural requirements. Because this is an “administrative record” case, then that record must, at a minimum, include all evidence relevant to the “established” and “utilized” issues, as well as the rationale behind Defendants’ refusal to comply with FACA. *See* Administrative Procedure Act (APA), 5 U.S.C. § 706 (APA cases should be determined on the basis of the “whole record”).

R-CALF proffers five (5) additional documents that are (or should have been) part of the “whole Administrative Record.” Each was drafted by APHIS and is highly relevant to the “established” issue. They support R-CALF’s claim that, in the months preceding establishment of the CTWG (which occurred during the September 2017 meeting in Denver co-sponsored and co-financed by APHIS), APHIS advocated and pushed for creation of an industry-led advisory committee (referred to as a “task force”) to provide technical advice to APHIS on RFID-related issues.

To assist with the Court’s consideration of this Rule 83.6 motion, R-CALF provides the following description of the five documents (being filed with the Court along with this Motion):

**Document #1 2<sup>nd</sup> Supp.** An email dated September 20, 2017 from APHIS’s Neil Hammerschmidt to two other APHIS officials, as well as a representative of Montana and a representative of Wisconsin. Those five individuals were members of the 2017 Animal Disease Traceability (“ADT”) State/Federal Working Group, and they were scheduled to present the Working Group’s recommendation the following week at the “Strategy Forum on Livestock Traceability” in Denver. Hammerschmidt prepared the panelists’ Power Point slides for their presentation; attached to his email is the “final version” of the 53 slides (numbered from 20 to 72 in the lower right-hand corner). Slide Nos. 28 through 36 set out the Working Group’s recommendation that a comprehensive plan for implementing mandatory RFID “should be developed through a specialized industry-lead [sic] task force with government participation,” and detail the tasks that should be accomplished by this new entity. Slide No. 70, which lists “Immediate Priorities,” states that one such priority is “Supporting the immediate establishment of an industry and State/Federal task force to prepare a plan for targeting implementation of an EID solution for cattle by January 1, 2023.”

R-CALF contends that the CTWG was “established” by APHIS at the September 2017 Denver meeting, a meeting funded and co-sponsored by USDA (as discussed in Plaintiffs’ previous filings). APHIS denies that contention. This document, however, not only supports but actually confirms R-CALF’s contention. It demonstrates that during their morning-long presentation, senior APHIS officials told attendees that formation of an industry-led group to provide advice to federal officials was one of their “Immediate Priorities.”

**Document #2 2<sup>nd</sup> Supp.** An email and a seven-page document, both dated September 5, 2017. Written by APHIS official Alexandra Reed, the document consists of her notes from a



meeting held that day by the State/Federal Working group. On Page 5, she quotes APHIS's Alex Turner as saying that because "we need to get a technology standard established as soon as possible," "I think the [industry-led] task force has to meet as soon as possible after the September Forum." Two other APHIS officials then expressed agreement with Turner's statement. This document demonstrates that APHIS officials fully contemplated that an industry-led advisory group would be established in Denver later that month, thereby supporting R-CALF's claim that APHIS was the driving force in establishing the CTWG, and the role that it was to play in terms of establishing an RFID mandate.

**Document #3 2<sup>nd</sup> Supp.** An email dated August 9, 2017 from APHIS's Neil Hammerschmidt to other members of the 2017 ADT State-Federal Working Group. Attached to the email is a two-page document dated August 9, 2017 listing what Hammerschmidt deemed "Points of Consensus" among members of the Working Group. One such Point of Consensus was a recommendation for "The establishment of an industry and State/Federal Task Force to develop a comprehensive 'path forward' proposal for the implementation of electronic ID for cattle." This document supports R-CALF's claim that APHIS in the summer of 2017 was lobbying for creation of an industry-led advisory group (ultimately the CTWG) and had lined up the support of the State/Federal Working Group for its proposal.

**Document #4 2<sup>nd</sup> Supp.** The agenda for the July 11, 2017 meeting of the 2017 ADT State-Federal Working Group (five pages). The first page states that the top item for consideration at the meeting was to "Review and define the expectations of the Task Force on EID Proposal." This document strongly supports R-CALF's claim that APHIS "established" the CTWG. In the summer of 2017, APHIS was not merely pushing for the CTWG's creation; it

was mapping out the agenda that the CTWG would be expected to cover and the role that it would play in helping Defendants to create and impose a mandatory RFID requirement.

**Document #5 2<sup>nd</sup> Supp.** An email dated August 28, 2017 from APHIS's Neil Hammerschmidt to other members of the 2017 ADT State-Federal Working Group. Attached to the email are two agendas and an 11-page document dated August 28, 2017 listing what Mr. Hammerschmidt deemed "Points of Consensus" among members of such Working Group. One such "Point of Consensus" was a recommendation that a "special industry lead [sic] task force with government participation" develop a "comprehensive plan to address the multitude of very complex issues related to the interpretation" of an electronic identification system for cattle. *Id.* at 2. Another "Point of Consensus" was that "[i]ndustry and other stakeholder feedback on the proposal [the comprehensive plan prepared by the industry-led taskforce] *will be solicited after it is published by the task force.*" *Id.* at 3. (Emphasis added). This document supports R-CALF's claim that not only did APHIS plan for and accomplish the establishment of an "industry-led task force" or advisory committee (ultimately the CTWG), but it also planned to utilize such advisory committee's published work to solicit support from the rest of the cattle industry.

All of the foregoing documents are clearly relevant to Plaintiffs' claims and to the issues before the Court. They should have been included with the Administrative Record, but for whatever reason, Defendants made the decision to exclude them. These five documents provide further evidence of the fact that Defendants "established" and "utilized" the subject advisory committees and, in the process, violated FACA.

WHEREFORE, Plaintiffs R-CALF, *et al.*, respectfully request that the Court grant their Second Supplemental Motion for Completion of the Record or for Consideration of

Extra-Record Evidence and order that Plaintiffs' five (5) additional documents be made part of the record in this case.

Dated this 30<sup>th</sup> day of March 2021.

Attorneys for Petitioners/Plaintiffs

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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that on March 30, 2021, a copy of PLAINTIFFS' *SECOND SUPPLEMENTAL* MOTION FOR COMPLETION OF RECORD, was filed with the Court's CM/ECF system, which will send notice of electronic filing to the counsel of record.

/s/ Harriet M. Hageman  
Harriet M. Hageman

**Hammerschmidt, Neil E - APHIS**

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**From:** Hammerschmidt, Neil E - APHIS  
**Sent:** Wednesday, September 20, 2017 3:16 AM  
**To:** mzaluski@mt.gov; Geiser-Novotny, Sunny - APHIS; paul.mcgraw@wisconsin.gov; Munger, Randy D - APHIS; Hammerschmidt, Neil E - APHIS  
**Subject:** ADT WG Report - PPT slides with notes  
**Attachments:** ADT Report - NIAA Traceability Forum 09 26 17 - PPT Slides with Notes (WG).pdf; ADT Presenter Plan - Approx Times.xlsx

Good morning!

Attached is an update PDF of the PPT slides for the ADT WG report. I think this will be the final version unless anyone has suggestions.

We'd like to go through the slides in numeric order, so we are thinking of having the 5 of us seated at a table with microphones for presenting the report/PPT. We'll have one person advancing the slides; thinking the WG member could turn to the next page of their PPT slides document when they are ready to have the slide advanced on the computer. Let me know if you have other preferences.


I wanted to be sure we can get through this portion of the agenda within the time frame we have (complete the report by the morning break). Attached is the recommendations with approximate times to give an idea how much time we have for each slide. We'll adjust as we needed as we move through the slides, but wanted to offer an approximate outline.

Let me know if you have suggestion or questions; we can schedule a conference call for Friday or touch base Monday evening.

Thanks much!

Neil

Recommendation #	Subject	Presenter	Approx. Minutes for Section	~ Start	~ End
					8:15 AM
	Update/Assessment	Sunny	0:15	8:15	8:30 AM
	Summary of Feedback	Aaron	0:10	8:30	8:40 AM
	Intro WG Report	Neil	0:05	8:40	8:45 AM
1	Custom Slaughter	Neil	0:03	8:45	8:48 AM
2	Covered population	Neil	0:02	8:48	8:50 AM
3	Interstate commerce/triggers	Marty	0:06	8:50	8:56 AM
4	EID for Cattle	Marty	0:14	8:56	9:10 AM
5	Electronic Records	Randy	0:06	9:10	9:16 AM
6	Enforcement	Paul	0:06	9:16	9:22 AM
7	ID Collection	Sunny	0:05	9:22	9:27 AM
8	Private/public partnership	Randy	0:04	9:27	9:31 AM
9	Exemptions _ ID	Paul	0:05	9:31	9:36 AM
10	Exemptions _ ICVI	Paul	0:05	9:36	9:41 AM
11	Uniformity of State Regs	Paul	0:04	9:41	9:45 AM
12	Import Tag	Sunny	0:04	9:45	9:49 AM
13	Uniform tag	Sunny	0:03	9:49	9:52 AM
14	Beef Feeders	Sunny	0:03	9:52	9:55 AM
	Conclusion	Neil	0:05	9:55	10:00 AM

 United States Department of Agriculture


# Animal Disease Traceability (ADT)

## ADT "Next Step" Preliminary Recommendations


ADT 2017 State/Federal  
Working Group

- Neil Hammerschmidt
- Dr. Marty Zaluski
- Dr. Paul McGraw
- Dr. Randy Munger
- Dr. Sunny Geiser-Novotny

Animal Disease Traceability (ADT)  
Summary of Program Reviews and  
Preliminary "Next Step" Recommendations  
September 2017



United States Department of Agriculture  
and Plant Health Inspection Service  
Veterinary Services



**DRAFT**

## ADT 2017 Working Group

Name	Affiliation
Geiser-Novotny, Sunny	Cattle Health Staff/ ADT Veterinarian, APHIS VS SPRS
Hammerschmidt, Neil	Manager, Animal Disease Traceability, APHIS VS SPRS
Halstead, Steve	District Director, APHIS VS SPRS
Hickam, Linda	State Veterinarian, Missouri Department of Agriculture
Hughes, Dennis	Nebraska State Veterinarian and Animal Health Administrator, Nebraska Department of Agriculture
Kitchen, Diane	Veterinarian Manager, Bovine Programs, Florida Department of Agriculture and Consumer Services
Linfield, Tom	Assistant District Director, APHIS VS SPRS (Montana)
Massengill, Rose	Animal Disease Traceability Coordinator, APHIS VS SPRS
McGraw, Paul	State Veterinarian Division of Animal Health Wisconsin Department of Agriculture, Trade and Consumer Protection
Odom, Rick	Animal Health Information Systems Manager, Virginia Department of Agricult and Consumer Services
Schwabenlander, Stacey	Senior Veterinarian, Minnesota Board of Animal Health
Scott, Aaron	National Preparedness and Incident Coordination Center (NPIC), APHIS VS SPR
Smith Justin, DVM	Deputy Animal Health Commissioner, Kansas Department of Agriculture
Steck, Ailie	Animal Disease Traceability Coordinator, Pennsylvania
Turner, Alex	Traceability Veterinarian, Colorado Department of Agriculture
Westly, Rolf	Veterinary Medical Officer, APHIS VS SPRS
Winslow, Thatch	Assistant State Veterinarian, Wyoming Livestock Board
Zaluski, Marty	State Veterinarian , Montana Department of Livestock

APHIS-VS

Animal Disease Traceability (ADT)

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Introduce all members (stand to be recognized)



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## ADT 2017 WG – Preliminary Recommendations

1. Interstate movements that do not apply

Recommends:

- Maintain the policy that interstate movements to a custom slaughter facility do not apply to the traceability regulation



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Cost of participating in ADT is and always be a concern and we must continue to look for the most cost effective solutions. Need to keep in mind that true cost is more than just the tag itself!

Smaller producers that raise cattle for direct sale of meat products to consumers express concern regarding the cost of future traceability requirements. As noted in the final rule on traceability, the regulation does not pertain to interstate movements to a custom slaughter facility as such cattle are highly traceable to the premises if disease issues are detected at the slaughter facility.

**Recommendation:** Maintain the policy that interstate movements to a custom slaughter facility do not apply to the traceability regulation.

Note: The recommendation listed in #3 below clarifies that the exclusion of movements to custom slaughter would pertain only to animals that were born on the premises that ships to the custom slaughter facility.





## ADT 2017 WG – Preliminary Recommendations

2. Cattle population covered in the official identification regulations

**Recommends:**

Maintain current population covered by official ID requirements

- All dairy
- Beef cattle > 18 months of age
- All rodeo and exhibition/show cattle

*Note: Maintain exclusion of beef feeders at this time*

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The initial ADT regulation excluded beef cattle under 18 months of age from the official identification requirement. While it is acknowledged that this sector of the cattle industry needs to be included in the regulation at some point, there is overwhelming support to address several shortfalls or gaps within the current ADT framework first. More specific point on the inclusion of beef feeder cattle is provided later in this report.

**Recommendation:** Maintain the current population of livestock covered by the official ID requirements noted below and exclude beef feeder cattle under 18 months of age until current gaps are fixed and other issues are addressed before extending the requirement. Cattle covered by the official identification federal regulatory requirement would continue to include:

- All dairy
- Beef cattle > 18 months of age
- All rodeo cattle and exhibition cattle

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## ADT 2017 WG – Preliminary Recommendations

**3. Limiting official identification to interstate movements**

- Greatest impediment to tracing capability
- Creates confusion in marketing channels where cattle of differing requirements are mixed
- Creates enforcement challenges



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The most significant impediment resulting from the traceability regulation in Part 86 is the restriction that the official identification requirement is only applicable to livestock that move interstate. Cattle movements are quite diverse, often with multiple congregation points and opportunities for local spread of disease prior to moving interstate. An individual animal infected with a highly contagious disease may never leave the State where it was born, and thus remain excluded from the current Federal traceability regulation but still spread disease to many other animals that subsequently move interstate to several new states.

The regulation creates significant confusion in marketing channels where cattle of differing requirements may be mixed, and also creates enforcement challenges and complications. The interstate identification requirement often places the onus on livestock markets where the sorting and tagging of animals is often cumbersome and may fall short of full compliance. Additionally, the ability to determine compliance with the official identification requirement at slaughter plants is nearly impossible due to limited resources.

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## ADT 2017 WG – Preliminary Recommendations

### 3. Limiting official identification to interstate movements

**Recommends:**

- Revise regulation to include interstate commerce
- Consider “triggers” that would require official ID:
  - Change of ownership
  - First point of commingling
  - Interstate movement (no sale or commingling)



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**Recommendation:** Cattle should be identified to their birth premises, thus the official identification records need to provide birth premises information of the animal. Regulations need revising to include interstate commerce and if USDA has the authority establish each of the following triggers that would require official identification:

- Change of ownership
- First point of commingling
- Interstate movement (may reflect no sale and no commingling)

If USDA does not have such authority, all States are encouraged to establish equivalent regulations to trigger official identification.

The phrase, “identified to birth premises” is occasionally referenced in this report. While it is recommended that cattle should be tagged at their birth premises, it is acknowledged that there are situations where the tagging process can be accomplished more efficiently at subsequent locations. The phrase “identified to the birth premises” allows for tagging at other locations with the acknowledgment that the record of tag applied provides the birth premises information for the animal tagged.



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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle



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Possibly the most significant change in opinion apparent since the establishment of the current ADT framework in 2013 is an increase in support for electronic identification (EID). The interest in moving forward with EID, or specifically RFID, was expressed by stakeholders present at each of the nine ADT public meetings held in 2017. It is also noted that there continue to be some stakeholders that are not supportive of EID for livestock in general.

Many animal health officials, as well as industry stakeholders, acknowledge that the level of traceability necessary in the United States cannot be achieved with visual only tags. While the NUES tags, traditionally known as the metal clip “brite” tags are inexpensive to purchase, there is significant expense throughout the production chain associated with their use. Producers, market managers, accredited veterinarians and others express concern about animal handling challenges and economic losses created by the need to restrain cattle to manually read and record the official identification number on metal clip tags. APHIS is conducting a study on the cost associated with NUES tags to more clearly reflect the cost of manually collecting NUES numbers and the limitations of identification method related to retiring the NUES numbers after cattle are processed at slaughter plants.

**Intro to next slide: The ADT WG supports the implementation of electronic ID as the method of official identification for cattle**

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- High majority of cattle must be identified with EID tag
- Issues and questions
- Define technology



APHIS-VS Animal Disease Traceability (ADT) 27

- The ultimate success of an EID system hinges on identifying a high majority of the cattle population with an EID tag to gain the greatest efficiencies possible from the technology. Maintaining a parallel visual only eartag systems requiring manually recording of ID's on a significant portion of cattle would make the cattle handling processes more cumbersome and increase cost.
- Many additional questions exist when considering EID solutions. Particularly, the uncertainty regarding the cost of tags and readers as well as questions regarding how to standardize the technology in order to ensure compatibility of systems across manufacturers. Multiple, or competing, EID technologies would cause significant confusion, conflicts and financial challenges, therefore it will be imperative to define a single compatible technology. It is also essential that the selected technology works efficiently and effectively at the speed of commerce.

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

**Recommends:**

- Move toward an EID system for cattle with a target implementation date of January 1, 2023
- A comprehensive plan is necessary
- Specialized industry-lead task force with government participation to develop plan



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**The working group recommends:**


The United States must move toward an EID system for cattle with a target implementation date of January 1, 2023. A comprehensive plan is necessary to address the multitude of very complex issues related to the implementation of a fully integrated electronic system. The plan should be developed through a specialized industry-lead task force with government participation.

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - Standardization
  - Transitional solutions
  - Timelines
  - Funding options



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The objectives of the task force should account for several of the key issues including:

- Standardization
- Transitional technology solutions
- Timelines
- Funding

*For some issues the task force may need to establish a subgroup with specific expertise.*

We'll cover these responsibilities in greater detail on the following slides.




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## ADT 2017 WG – Preliminary Recommendations

4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Standardization**
    - Minimum performance standards – works at speed of commerce




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### Standardization

As noted earlier, the standardization of the technology is imperative. First, minimum performance standards must be defined to ensure the technology works at the speed of commerce.

While there are differences in “speed of commerce” from one environment or from one facility to another, we need to set a uniform interpretation. Ultimately we need to have a process to systematically measure the performance capabilities of the EID tags to ensure minimum capabilities are met. The working group discussed how best to unify the interpretation of speed of commerce and came up with a description: (see next slide)



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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Standardization**
    - Minimum performance standards – works at speed of commerce

**“Speed of commerce”:**  
Referred to as, “compatible with existing accepted commerce systems; the ID device/method shall be compatible with existing accepted commerce systems, allowing for the reading/recording of official ID in a safe and humane manner at a pace that does not impede the normal and accepted processing time; and shall be compatible with Beef Quality Assurance (BQA) and Dairy Animal Care and Quality Assurance (DACQA) standards and practices.”

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*(Standardization continued)*

“Speed of commerce” --- Referred to as, “compatible with existing accepted commerce systems;

The ID device/method shall be compatible with existing accepted commerce systems, allowing for the reading/recording of official ID in a safe and humane manner at a pace that does not impede the normal and accepted processing time; and shall be compatible with Beef Quality Assurance (BQA) and Dairy Animal Care and Quality Assurance (DACQA) standards and practices.”

The task force will need to establish measurable factors in order to set minimum performance capabilities of the EID tag.

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Standardization**
    - Minimum performance standards – works at speed of commerce
    - Technical communications - ensure compatibility of devices across manufacturers.



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*(Standardization continued)*

Another critical component of standardization addresses the compatibility of the devices across manufacturers, or the technical communications. Specifically, the EID task force needs to:

- Propose a non-proprietary, cost efficient and effective technology solution based on results of performance evaluations that adhere to established technical communication standards and that will ensure compatibility of devices across manufacturers.

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Transitional technical solutions**
    - Identify solutions that will “bridge” differing electronic solutions during a defined transition period



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### Transitional technology solutions

Identify solutions that will “bridge” or incorporate other electronic solutions during a defined transition period; this is necessary to ensure the workability of current/existing technologies).

#### *Other points on transitional solution:*

- The system will not work with multiple technologies
- Yet, existing technologies need to be recognized so no sector is “left behind”
- Need to address progression towards a single and/or compatible technology

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Timelines**
    - Date visual only official tags no longer available
    - Date all cattle needing official ID date must be officially tagged with EID, e.g., January 1, 2023
      - Visual only tagged cattle retagged with official EID tags



Propose a realistic timeline with key steps to support the transition to a fully integrated EID system, e.g.,


- Set a date for when visual only official tags will no longer be available (manufactured, distributed, sold or provided, including “brite” NUES tags from USDA). The objective is to deplete tag inventories during this phase-out period. Cattle tagged with visual only tags prior to this date and through a transition period would not need to be retagged with EID tag.
- Set a date for when all cattle needing official ID must be officially electronically identified, e.g., January 1, 2023.
- (Cattle with visual only tags after this date must be retagged with official EID tags).

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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Funding**
    - Initial startup
    - Incentives and cost share
    - Spread cost equitably
    - Utilize funds currently in place to support NUES tags



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#### **Funding:**

All of us, in addition to the task force or subgroup, will need to consider funding options for addressing cost concerns, e.g.,

- Federal startup funds
- Startup incentives
- Cost share opportunities
- We need to consider options that will allow small producers to obtain equivalent of volume discounts, etc. (1st 20 tags for \$x.00 regardless of volume purchased)
- Spread cost equitably across industry sectors
- Utilize funds currently in place to support NUES tags acquisition and distribution on EID investments




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## ADT 2017 WG – Preliminary Recommendations

### 4. EID system for cattle

- Industry and State/Federal Task Force roles/responsibilities
  - **Other :**
    - Discontinue providing free “brite” NUES tags.
    - Utilize EID tags in all cattle disease programs; e.g., OCV EID tag
    - Waive recording of visual only numbers when adding EID tag



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Other recommendations related to EID implementation proposal:


- USDA should discontinue providing free “brite” NUES tags.
- USDA should utilize EID tags in all cattle disease programs and the brucellosis program should move to an orange OCV EID tag exclusively.
- The requirement to record existing official ID numbers when adding an EID tag to individual animals already officially identified with visual only tags should be reexamined. The WG suggests that the regulation requiring the recording of previously applied visual only numbers be waived for a period of time when the official EID tag requirement is first enacted. This approach will help minimize the burden that this requirement would otherwise cause.

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# ADT 2017 WG – Preliminary Recommendations

## 5. Administration of Electronic Records

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## ADT 2017 WG – Preliminary Recommendations

### 5. Administration of Electronic Records

- eICVI Schema (XML)
  - Schema – updated to fix known issues
    - AAVLD/USAHA IT Standards subcommittee to maintain leadership role
    - USDA available to support technical issues
    - VSPS must adopt schema
      - allow data to move in and out of VSPS through schema.



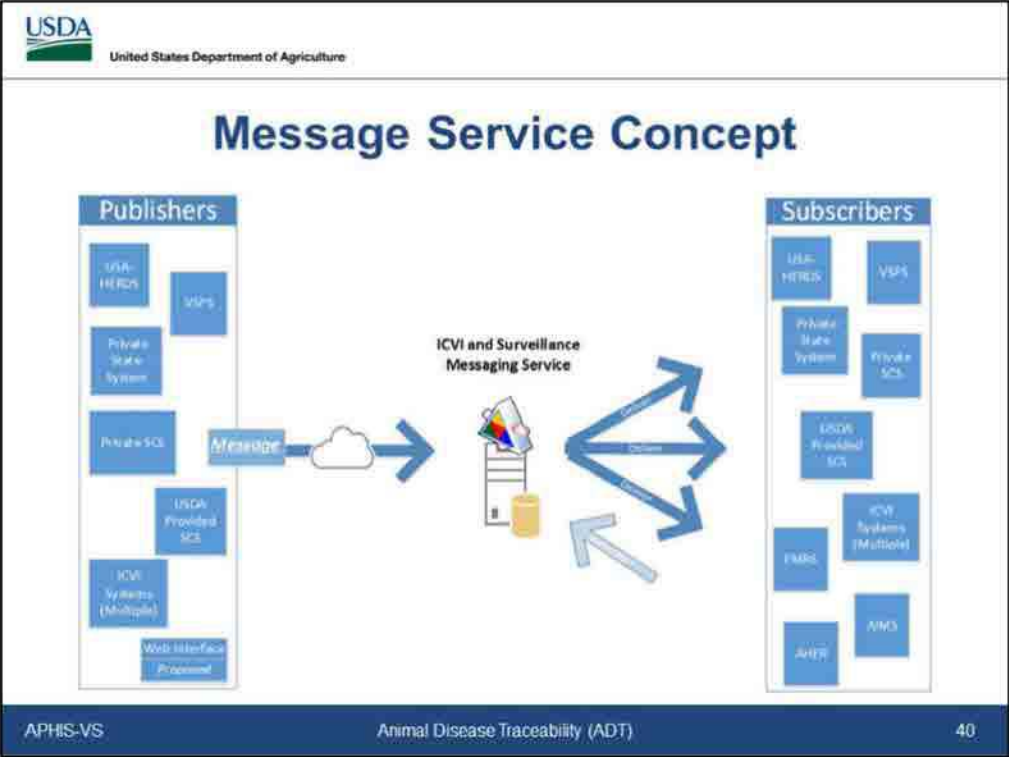
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## ADT 2017 WG – Preliminary Recommendations

### 5. Administration of Electronic Records

- **Test Charts / Vaccination Forms**
  - USDA to create web interface for data entry and file uploading
    - Accredited vets and Animal Health Officials
    - Generate required forms
  - Data must be available for sharing between State and Federal systems
    - Message data to appropriate System(s)

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## ADT 2017 WG – Preliminary Recommendations

### 5. Administration of Electronic Records

- **Animal Health Event Repository (AHER)**
  - Identifies federal system(s) with information on official IDs (400+ million references)
  - AHER populated by VSPPS, SCS, AIMS, EMRS, (GDB)
  - Expansion of AHER to include State systems (Voluntary)
    - APHIS financially support States on development of messaging service to populate AHER
      - Official IDs, Date, Event type, State
      - Improve User Interface – summary view for State provided information


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## EMRS-AHER Traceability Functionality

The diagram illustrates the data flow for EMRS-AHER Traceability Functionality. On the left, several data sources are listed: EMRS, SCS State Instances, VSPS, USA HERDS, and E-ICV Systems. These sources feed into a central database labeled 'AHER'. From AHER, data is sent to 'AIMS Tags'. A screenshot of the AHER interface is shown on the right, displaying a table of records. A 'Proposed Action' box is located at the bottom right of the diagram, containing the following items:

- 1) Outreach - Introducing functionality to States.
- 2) Outgoing message out of State systems.
- 3) Partner with a few key states to gain access to animal sightings from State US Herd data.
- 4) Begin discussions with CVI companies and State Vet.com to acquire sightings.

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## ADT 2017 WG – Preliminary Recommendations

### 6. Enforcement of ADT Regulations

- High level of compliance is imperative
- Greater uniformity of enforcement
- Higher levels of monitoring where disease spread is a higher risk and greater impact
- Exemptions and limitation of interstate movement only complicates enforcement

APHIS-VS Animal Disease Traceability (ADT) 43

A high level of compliance with the ADT regulations is imperative to have successful results when tracing animals. The Working Group discussed feedback from the public meetings regarding the need for greater uniformity of enforcement, in particular private treaty sales. They also note the need for higher levels of monitoring is necessary in environments where a disease spread is a higher risk and where the disease event would have the most significant impact. These locations would be those where cattle are commingled from various premises and then move to additional premises, including livestock markets, buying stations, consignment sales, etc.

The working group also notes that fewer exemptions and revising the regulation to cover more than interstate movement would improve the ability to monitor for compliance as the current rule allows for many cattle to move unidentified. These exemptions and limitations complicate the recognition of animals moving interstate that are not in compliance with the official identification requirement


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## ADT 2017 WG – Preliminary Recommendations

### 6. Enforcement of ADT Regulations

**Recommends:**

- Target repeat offenders
- IES - more timely investigations
- Emphasis on enforcement when higher risk and greater impact
- Include private sales, internet sales, production sales, herd dispersals, etc.



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**Recommendations:**

- Continue to target enforcement actions on noncompliance of repeat offenders
- Work with IES on conducting more timely investigations
- Maintain a higher level of enforcement oversight at locations where there are higher risk of disease spread that would have most detrimental impact on the industry
- Evaluate and implement appropriate enforcement procedures for private sales, internet sales, production sales, herd dispersals, etc.





## ADT 2017 WG – Preliminary Recommendations

### 6. Enforcement of ADT Regulations

Recommends:

- Work with transportation agencies
- Cooperate with States that have resources in the field that could help document and report noncompliance
- Destination state report violations to shipping state

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Animal Disease Traceability (ADT)

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**Recommendations:**

- Work with transportation agencies to perform spot-checks on highways and at transport nodes to monitor compliance to the ADT regulations during transport of the animals.
- Cooperate with States that have resources in the field that could help document and report noncompliance situations to the local VS office and APHIS IES personnel.
- Encourage states of destination to inform states of origin of ADT or other violations.



## ADT 2017 WG – Preliminary Recommendations

### 6. Enforcement of ADT Regulations

**Recommends:**

- Survey State and Federal officials
- Additional recommendations from participants attending the NIAA Traceability Forum
- Share practices and enforcement methods nationally with State Animal Health Officials
- Cattle dealers, online auctions, etc. should be regulated by State when dealer licensing regulations apply

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**Recommendations:**

- Survey State and Federal officials to establish a comprehensive listing of compliance oversight methods used across the country.
- Obtain specific recommendations from participants attending the NIAA Traceability Forum.
- Share recommended practices and enforcement methods nationally and encourage local APHIS officials to work collaboratively with State Animal Health Officials to implement appropriate options.
- Activities of cattle dealers, online auctions and others involved in commercial buying/selling of cattle should be regulated by State when dealer licensing regulations apply.





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## ADT 2017 WG – Preliminary Recommendations

### 7. Collection of ID and its Correlation to the Carcass at Slaughter

- 2016 WSLHA resolution to create an ADT performance measure to monitor collection and accurate correlation of ID to the carcass
- Working Group on Slaughter Plant ID Collection & Correlation convened November 2016



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## ADT 2017 WG – Preliminary Recommendations

### 7. Collection of ID and its Correlation to the Carcass at Slaughter

**Recommends:** APHIS continue the efforts of the State/Federal Slaughter Plant Working Group to improve the rates of ID collection & correlation at slaughter including:


- Development of training/outreach materials for plant, FSIS & APHIS personnel
- Monitoring of diagnostic submissions collected to ensure correlation practices are sufficiently applied
- Maintaining constant communication and collaboration with FSIS to address problems

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## ADT 2017 WG – Preliminary Recommendations


**8. Public/private information system**

- Confidentiality and security of data remains a significant concern
- Private information systems should be utilized to help achieve ADT objectives



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Confidentiality and security of data remains a significant concern by many cattle producers and needs to be resolved to strengthen industry buy-in and support for advancing traceability. Private information systems that support various marketing programs, including AMS Process Verification Programs (PVP), branded products, etc. have traceability data that should be utilized to help achieve ADT objectives in the future.



## ADT 2017 WG – Preliminary Recommendations

### 8. Public/private information system

**Recommends:**

- Enable private information systems to be utilized for disease surveillance and response events
- Communication protocols (messaging) between the private government systems
- Information maintained in the private system
- Available to animal health officials only when needed for animal disease control and response


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#### Recommendation:

APHIS and States need to establish a partnership with industry that would enable private information systems to be utilized for disease surveillance and response events. Communication protocols (messaging) between the private systems and an animal disease traceability portal would be established so producer data could be maintained in the private system and made available to animal health officials only when needed for animal disease control and response. In so doing, producers would have the choice to have their data held in a private or public system. It is understood that producer data held in State and Federal systems would continue to be protected and used only for disease response.

The basic concept would account for:

- Defining data elements and standards for traceability information that private systems would adhere to (primarily official ID numbering formats and premises data)
- Communication protocol that would allow a government portal to message the private system when a search for animal numbers or premises is needed to respond to an animal disease event.



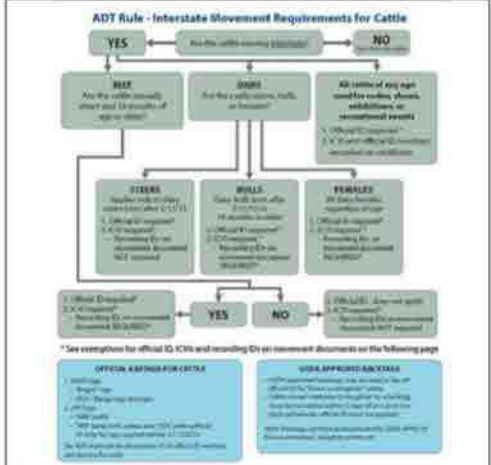
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## ADT 2017 WG – Preliminary Recommendations

### 9. Exemptions for Official Identification Requirements

- Creates confusion and challenges to uniformly enforce ADT requirements

ADT Rule - Interstate Movement Requirements for Cattle



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It is broadly acknowledged that the exemptions for official identification creates confusion and challenges to uniformly enforce ADT requirements. *If the ADT program has to develop a flow chart to explain when official ID is needed, the regulation may be a bit too confusing*

The working group reviewed each official identification exemption provided for in 9 CFR Part 86.4. The direct to slaughter movements, in particular those through one approved facility, are of the most concern and providing a simple revision to resolve this issue is challenging and noted as needing additional input from the industry.

Each exemption to the current official identification regulations is referenced in the report and the complete regulatory text for the official ID exemption is provided for in Appendix III



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## ADT 2017 WG – Preliminary Recommendations

### 9. Exemptions for Official Identification Requirements

**Recommends:**

Commuter herd agreements:

- Remove official ID exemption
- Listing the animals' identification number at discretion of State Animal Health Officials



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**Recommendations:**

- Commuter herd agreements: The exemption for official identification should be removed, but the requirement for individually listing the animals' identification number on the movement document should allow for a range of numbers when a high majority of the animal numbers being moved are within that range or as agreed upon by the State Animal Health Officials.

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## ADT 2017 WG – Preliminary Recommendations

### 9. Exemptions for Official Identification Requirements

**Recommends:**

Tagging Sites:

- Maintain the option to apply ID at tagging sites
  - Not really an exemption; it's deferred



State ID options:

- Remove the exemption allowing States to agree on alternative methods of official identification

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### **Recommendations**

- ~~Movements directly from a location in one State through another State to a second location in the original State: Maintain the current position that official identification should not be required for these movements.~~
- Tagging sites: The option to move cattle to a tagging site where they are tagged on behalf of the owner or person responsible should be maintained. For clarification, this is really not an exemption, applying the ID tag is deferred.
- Official identification options as agreed on by shipping and receiving State: This exemption or allowing for alternative methods of identification should be removed.

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## ADT 2017 WG – Preliminary Recommendations

### 9. Exemptions for Official Identification Requirements

**Recommends:**

Direct to slaughter movements:

- Maintain official ID exemption from farm/ranch with approved USDA backtag
- Stipulate that animals that leave plant must have official ID



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**Recommendations:**

- Direct to slaughter movements:
  - Cattle moved from the farm/ranch direct to slaughter should be allowed to move, as they do currently, on an approved USDA backtag in lieu of the official identification eartag.
- Stipulate that animals that leave plant must have official ID

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## ADT 2017 WG – Preliminary Recommendations

### 9. Exemptions for Official Identification Requirements

**Recommends:**

Direct to slaughter movements:

- Remove the exemptions for cattle moving to slaughter through one approved livestock facility:
  - Unless specific controls established
  - Involved industry sectors to work out potential protocol




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**Recommendations:** (Direct to slaughter continued)

- The exemptions for cattle moving to slaughter through one approved livestock facility should be removed unless there are specific controls that can be administered to ensure, to the degree possible, that these animals move direct to slaughter from the approved facility.
- For such an option to be considered, involved industry sectors must collaborate with State and Federal officials to work out such a protocol.

As noted in the report., the timeline for full implementation of an EID solution will may warrant that the official identification exemptions for direct to slaughter movements be phased out over a transition period. This will ensure that all cattle covered in the traceability regulation at that time are identified with the same technology tag as they arrive at the slaughter.






**ADT 2017 WG – Preliminary Recommendations**

**10. ICVI Exemptions and Movement Documents**

- Continued emphasis on electronic ICVIs
- Examine alternatives to ICVIs
- Emphasis on key components of traceability
- Destination State greatest responsibility in determining required documents




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The working group reviewed the importance of ICVIs and the challenges they present. As noted in the section on electronic records, continued emphasis on electronic ICVIs and other electronic movement records should be made a high priority.

The use of other movement documents as alternatives to ICVIs should continue to be examined to account for anticipated changes in technology, in particular EID, as well as regional differences regarding the availability of accredited veterinarians. Emphasis must be made on obtaining the key components of traceability: accurate and complete records of official identification numbers and the ship from and ship to locations. Alternate documents that obtain this information such as movement permitting processes or other options that States have currently found to be successful must be considered. While consistency of requirements is fully supported, the State of destination should ultimately have the greatest responsibility in determining which movement documents are necessary for the proper collection and compliance of the key traceability components for livestock moved into their State.





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## ADT 2017 WG – Preliminary Recommendations

### 10. ICVI Exemptions and Movement Documents

**Recommends:**

- Direct to slaughter, including through one approved facility:
  - Maintain ICVI exemption for direct to slaughter cattle
  - The current exemption for slaughter movements through one market must be restricted to one market movement regardless if it is an interstate or intrastate shipment

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ICVI exemptions:

- Direct to slaughter, including through one approved facility: The ICVI exemption for direct to slaughter cattle is appropriate and should remain. The current exemption for slaughter movements through one market must be restricted to one market movement regardless if it is an interstate or intrastate shipment.
- .



## ADT 2017 WG – Preliminary Recommendations

### 10. ICVI Exemptions and Movement Documents

Recommends:

- Direct to an approved facility with an owner-shipper statement:
  - Concern about the exemption for interstate movements to an approved facility when the cattle move from the approved facility to a premises other than a slaughter plant
  - The current regulation allows for the exemption unless the cattle move interstate from the market
  - This exemption should be removed and changing the regulation to cover intrastate movement would address this issue.

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ICVI exemptions:

- Direct to an approved facility with an owner-shipper statement: There is concern about the exemption for interstate movements to an approved facility when the cattle move from the approved facility to a premises other than a slaughter plant. The current regulation allows for the exemption unless the cattle move interstate from the market. This exemption should be removed and changing the regulation to cover intrastate movement would address this issue.

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### 10. ICVI Exemptions and Movement Documents

**Recommends:**

- Maintain option for commuter herds to move on documents as agreed upon by the State Animal Health Officials



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ICVI exemptions:

- The ability for cattle to move under commuter herd agreement documents as agreed upon by the State Animal Health Officials should remain.
- As noted in the official ID exemptions, the listing of individual numbers or range of numbers on movement documents for commuter herd agreements is determined by the State authorities.

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## ADT 2017 WG – Preliminary Recommendations

### 11. Uniformity of State Import Regulations

- Limiting the current exemptions to 9 CFR Part 86 would help to clarify and improve uniformity
  - E.g., eliminating the option for the States to agree on other forms of official identification
- Need to review official ID requirements separately from health regulations
  - Expanding health requirements to achieve uniformity not appropriate



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The Working Group reviewed the stakeholder feedback pertaining to the confusion and difficulties which occur as a result of the current variations in State import regulations. The WG has suggested that limiting the current exemptions to 9 CFR Part 86 would help to clarify and improve uniformity of the federal requirements as they are implemented across States. For example, eliminating the option for the shipping and receiving States to agree on other forms of official identification would help standardize the official ID requirements.

The Working Group also noted the need to review official identification requirements separately from those associated with testing and other health issues. For example, many of the health requirements established by States are those that industries within their State have requested to protect the health of their cattle operations and that such issues are often specific to certain regions. Therefore, the Working Group did not support expanding health requirements to achieve uniformity because it would actually lead to more import regulations across the country and would also be unwarranted from an animal disease control perspective.



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## ADT 2017 WG – Preliminary Recommendations

### 11. Uniformity of State Import Regulations

Recommends:

- 9 CFR Part 86 should provide the national standards
- Elimination of various exemptions will lessen some of the confusion and State differences
- Use of InterstateLivestock.com should be expanded



InterstateLivestock.com

### Interstate Animal Movement Requirements

Quick, accurate access to state import requirements for livestock.

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**Recommendations:**

9 CFR Part 86 should provide the national standards for official identification and movement documentation and its review and revision to increase standardization should continue. The elimination of various exemptions will lessen some of the confusion and State differences.

The promotion of the website StateRegulations.com should expand to encourage increased use by accredited veterinarians, producers, livestock markets and others who need information on State import regulations.

It is essential that the option for States to establish more stringent requirements be maintained.

Uniformity of State regulations is important to increase understanding of and compliance with import regulations. However, because disease issues are unique to certain areas of the United States, animal health import requirements need to be regionalized.





## ADT 2017 WG – Preliminary Recommendations

### 11. Uniformity of State Import Regulations

**Recommends:**

- Essential that to maintain option for States to establish more stringent requirements
- Uniformity of State regulations is important, but;
  - Disease issues are unique to certain areas of the United States
  - Animal health import requirements need to be regionalized

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#### **Recommendations:**

It is essential that the option for States to establish more stringent requirements be maintained.

Uniformity of State regulations is important to increase understanding of and compliance with import regulations. However, because disease issues are unique to certain areas of the United States, animal health import requirements need to be regionalized.

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## ADT 2017 WG – Preliminary Recommendations

### 12. Uniform Official Identification Eartags

- Differing views on having numerous tag types (size, shape, color, etc.)
- Management & official identification versus one standard distinct tag with official identification number only

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On the topic of more uniform official identification, there are differing views on having numerous tag types (size, shape, color, etc.) and using bangle-like official eartags for both management and official identification purposes versus using one standard distinct tag for official identification. Some producers prefer the same tag for both management and official identification purposes as it makes the tagging process more efficient. Others indicate a preference to have a standard tag for official ID since many producers prefer to remove tags with existing herd management numbers when buying replacements from other dairies and ranches. Comments from stakeholders also suggest that one standard tag would increase awareness of what is official and as a result, decrease the accidental removal of official tags. Additionally, there is support for AMS and APHIS to achieve uniformity of devices for both programs. Manufacturers of official identification eartags also indicate that a standard tag would improve manufacturing efficiencies and would lower the cost of the official tags.



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## ADT 2017 WG – Preliminary Recommendations

### 12. Uniform Official Identification Eartags

**Recommends:**

- Value in a standard official eartag - increase awareness and understanding
- Conduct a study to determine the potential advantages and disadvantages of having one national identification eartag for cattle

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**Recommendations:** The Working Group feels there is value in considering a standard, or uniform, official eartag to increase its awareness and understanding that it is unlawful to remove the tag. APHIS should conduct a study to determine the potential advantages and disadvantages of having one national identification eartag for cattle. The study should examine the merit a standardized tag might bring to ease of recognizing official tags and its effect on compliance. The study should also include cost comparisons of the use of numerous tag styles, sizes, etc. versus one standard, uniform tag. This information should be reviewed by APHIS and, if having one uniform tag has significant advantages, the concept for one tag should be put out for public comment through the federal registry. The actual change, if pursued, would require rulemaking.

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## ADT 2017 WG – Preliminary Recommendations

### 13. Official EID tag for imported cattle

- 9 CFR Part 86.4 stipulates that the application of AIN is limited to livestock born in the United States
- No official EID tag with LF technology available to retag imported animals
- Significant challenge if the U.S. moves to a completely EID solution for official ID in the future



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The definition of Official Eartags in 9 CFR Part 86.4 stipulates that the application of AIN tags (commonly referred to as “840 tags”) is limited to livestock born in the United States. As a result, there is no official EID tag with LF technology available to retag imported animals. This has created some challenges in the marketplace. For example, dairies that use 840 AIN LF tags for herd management, including parlors with integrated daily milk recording systems, are prohibited by regulation from retagging a Canadian import with an 840 eartag. Since there is no official LF EID device, the producer is limited to retagging with visual or UHF NUES tag and neither tag is compatible with their electronic herd management system. Conflicts with cattle shows that require AIN LF eartags are also becoming more common. This issue would become a more significant challenge if the US moves to a completely EID solution for official ID in the future.



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## ADT 2017 WG – Preliminary Recommendations

### 13. Official EID tag for imported cattle

**Recommends:**

- Maintain the identity of imported cattle
- Option for an official EID tag for imports
- Define an official “Import tag” tag
  - Specific range of 840 numbers (840 9xx ...)
  - Specific tag color



**Recommendation:** The ability to maintain the identity of imported cattle is essential and the retagging of such animals with an official EID 840 should be made available. The proposed solution is to designate a specific range of 840 numbers with a specific tag color as an “Import Tag”. For example, a range starting with “8409” could be reserved for use on these tags. This identification option would clearly identify animals imported to the United States that were tagged with an 840 Import Tag after arriving into the U.S. This process would allow for the utilization of EID technologies when preferred by producers with EID tag types already recognized by USDA as official identification eartags. This option would also allow for imported cattle with visual only tags to be tagged with an 840 RFID Import Tag (even if the visual only official tag of the exporting country is in the ear). Producers using UHF technology could use USDA approved UHF 840 tags or the USDA approved NUES UHF tags when the NUES option is authorized by the State Animal Health Official. To help distinguish “Import Tags” that have a panel component, the text “Import” would be imprinted on the panel piece of the tag. Visual only 840 tags would not be made available for imported animals.

The restriction limiting the use of 840 tags for USA born animals in the traceability regulation would be revised to allow for “Import Tags” and would specify the range of AINs and the tag color. The record keeping requirements for tagging imported animals would be the same as currently written in 9CFR Part 86 for retagging and adding a second official tag



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## ADT 2017 WG – Preliminary Recommendations

### 14. Official Identification of Beef Feeders

**Feedback:**

- Collaboration and rulemaking
- Tagging of large numbers of beef feeder cattle is not practical or doable at livestock markets
- Proactive plan
- Incremental steps
- Recording IDs
- Tagging solutions
- Cost benefit study & level of traceability needed



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The inclusion of feeder cattle in the traceability regulations is an essential component of an effective traceability system in the long term, however, there are other fundamental gaps in the traceability framework that need to be addressed first. The working group values the feedback from stakeholders regarding official identification of beef feeder cattle under 18 months of age, including:

- Extensive collaboration with industry stakeholders that would be affected by the identification of beef feeders is critical and official identification of this sector would require separate rulemaking to ensure all aspects are well vetted.
- Tagging a large numbers of beef feeder cattle is not practical or doable at livestock markets during peak periods of feeder sales, thus alternative processes need to be established.
- The timely development of a plan for the inclusion of feeders in the official identification requirement should be considered. This proactive approach will ensure the processes are well-defined in event their inclusion is necessary in response to a worst-case scenario animal disease event with minimal advance notice such as an outbreak of FMD.
- Incremental steps for the official identification of beef feeders should be considered, particularly policies that would allow this sector to be identified to their birth premises with recording of official identification numbers to be implemented as technology is highly proven to work at the speed of commerce.
- Collecting official identification numbers on movement documents and/or ICVIs for feeder cattle will be unduly cumbersome with visual only tags, and therefore should only be considered if an EID infrastructure that works at the speed of commerce is in place.
- The option of tagging feeder cattle at the next location upon transfer of ownership, including auctions, feedlots and other locations that receive these cattle need to be provided.
- Studies to document the level of traceability necessary for this sector and its cost/benefit needs to be conducted by USDA.

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## ADT 2017 WG – Preliminary Recommendations

### 14. Official Identification of Beef Feeders

- WG agrees with these points
- Reaffirms that the inclusion of the official identification of beef feeder cattle needs to be addressed at a later date
- Priority - next steps for ADT should focus on previous recommendations



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The working group agrees with these comments, including that the inclusion of the official identification of beef feeder cattle under 18 months of age needs to be addressed at a later date through a separate rulemaking. Additionally, the working group agrees strongly that the next steps for ADT should focus on the aforementioned recommendations and offers no implementation recommendations for feeder cattle identification.

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## ADT 2017 WG – Preliminary Recommendations

### Conclusion

Partner with State and Industry to:

- Increase number of cattle with official ID
- Move forward with a completely electronic system
- Improve IT infrastructure, electronic data capture systems and data information sharing



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While there are several complex issues regarding ADT that need to be addressed, the industry, States and APHIS must continue to partner to advance traceability by:

- Increasing the overall percentage, or proportion, of the cattle population that is officially identified and the identification records need to reflect the animal's birth premises
- Moving forward with a completely electronic system; including the identification methods and the reader infrastructure to capture the ID's electronically at the speed of commerce
- Improving our IT infrastructure, electronic data capture systems and data information sharing, including options with private systems, will improve our ability to more efficiently capture and utilize animal identification, animal sighting and movement information. The end result will be a more effective and efficient traceability system.



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## ADT 2017 WG – Preliminary Recommendations

### Conclusion

#### Immediate Priorities

- ID when change of ownership or at first point of commingling
- Exemptions – simplify
- Enhance monitoring and enforcement
- Electronic records/data sharing
- Industry and State/Federal EID



#### Task Force

- Plan for targeting implementation of an EID for cattle by January 1, 2023

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Our immediate focus is to rectify existing traceability gaps in the cattle population currently covered in the regulation, reduce confusion and minimize conflicts in the initial ADT framework by:

- Identifying cattle currently covered in the official identification requirement when there is a change of ownership or at first point of commingling with the ID information reflecting the birth premises.
- Considering solutions to reduce the number of exemptions and to clarify their interpretation, in particular confusion and concerns regarding “direct to slaughter” movements.
- Enhancing monitoring and enforcement of existing regulations to improve compliance in all sectors with emphasis on higher risk/impact areas.
- Improving the consistency of collecting IDs at slaughter with proper correlation to the carcass
- Establishing data and communication standards to increase the utilization of electronic records and data sharing capabilities
- Supporting the immediate establishment of an industry and State/Federal Task Force to prepare a plan for targeting implementation of an EID solution for cattle by January 1, 2023. The plan should include recommendation on the technology most capable of working effectively at the speed of commerce and defining other key implementation target dates.

APHIS and States will work to address programmatic issues, in particular electronic records. However, it is acknowledged that several priorities will require changes to the traceability regulation. The rule making processes will only be considered with industry support. Following feedback on this report from stakeholders, the ADT Working Group will finalize their recommendations for USDA’s consideration.





# Discussion / Comments



**Reed, Alexandra A - APHIS**

---

**From:** Reed, Alexandra A - APHIS  
**Sent:** Tuesday, September 5, 2017 2:13 PM  
**To:** Witherspoon, Daisy M. - APHIS  
**Cc:** Hammerschmidt, Neil E - APHIS  
**Subject:** Working Group Notes  
**Attachments:** ADT 2017 Working Group Summary 09 05 17 Reed.docx

Hi Daisy,

Here are my notes on the working group call today to use as needed.

Thanks,  
Alex

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ADT 2017 WG Meeting Summary (9/5/17)  
Conference Call

Roll Call – Daisy

Attendees:

Neil Hammerschmidt	Linda Hickam	Dennis Hughes	Tom Linfield	Rose Massengill
Paul McGraw	Rick Odom	Stacey Schwabenlander	Aaron Scott	Kendra Frasier
Allie Steck	Alex Turner	Thach Winslow	Marty Zaluski	Randy Munger
Alex Reed	Daisy Witherspoon			

Absent – Sunny Geiser-Novotny, Steve Halstead, Diane Kitchen, Rolf Westley

Neil – Intro

First Topic – **ICVI Exemptions**

We'll start back with discussion on ICVI exemptions. I did share the preliminary recommendations on key issues document which gives the outcome of the working group discussions we've had so far. The section on preliminary recommendations will be included in the final report released at the ADT forum.

In our current document, #10, is about ICVI exemptions. On the last call, the WG also thought it would be good to survey the whole WG on the possible exemptions. So we sent out a survey on all of the exemptions and received 15 responses that have been forwarded to the group. Separate responses were requested based on both the current system and also with regard to any future EID system.

My review of the survey – strong consensus to retain most of the exemptions. The one exemption with least support is #6. That exemption allows states to accept other alternatives to a movement doc other than an ICVI. Most support for keeping this exemption as is. On my review, not a lot of big changes that need to be drafted. On direct to slaughter, always been concern about cattle moving thru a market and then interstate to another market. There was discussion when the original rule was published on keeping this exemption only if the animal moved from its premise of origin. Industry did not support this at the time. One thought is to change this

Kendra Frasier (for Justin Smith) – I think one of our comments was, assuming the loopholes can be closed, that we think EIDs when established could help to close this loophole (the cattle not going directly going to slaughter loophole); then FSIS can do the “bookend” side of things and confirm what animals did or did not get to slaughter.

Dennis – on #6, in NE we have a commuter agreement with the surrounding states; we have a specific agreement (more specific than OSSs). It requires individual ID and recognizes brand certificates. #6 was not detailed enough for what we would allow. Here in NE we require an ICVI or this specialized document we developed with our neighboring states. #6 not detailed enough for NE.

Neil – I think the intent would be to allow this. So you would be to support keeping this exemption?

Dennis – yes

Thatch – I think the reason the rule has to be written this way is because what works for some states doesn't work for others. So we need to leave this open. In other States it may not be brand certificates, it may be something that works better there. I think we agree that we can't close the loophole too tight, because we need to allow some flexibility.

Marty – question to Neil - what exemptions have we voted to eliminate from the CFR so far?

Neil – at this point in time, very few. For the IDs, eliminating the commuter herd agreement.

Marty – I would just go back and make sure we're not losing the forest for the trees. I think we can do better. For example, commuter herd agreements for 18 mo. or older; we are already requiring ID, so why are we keeping this as an exemption?

Thach – I think the big difference is those are low risk herds, moving together. So we're requiring ID, but not that it be recorded due to the speed of commerce reason. Think the question is what are willing to exempt with the existing system vs. what are willing to exempt in a future system with commerce compatible tags and EID?

Marty – I agree. I think we need pre and post compliant electronic IDs options.

Thach – I think we as a working group are stuck between a rock and a hard place. If we tighten the belt now, we are going to put more restraints on industry.

Marty – but if you say we can't do this until the technology is there, it's actually an impediment to ever getting the technology for those that don't want to change.

Thach – agree, which is why we need to say this will be done at some date in the future.

Marty – agree. I'd be a lot more comfortable talking about the working group's recommendations if we separate out what we are recommending for "today" and what we are recommending for "tomorrow" and give specific dates for "tomorrow".

Thach - agree

Neil – any idea on what specific date or dates we should consider?

Marty – 2021. If we can put a man on the moon in 8 years, we can do traceability in 5.

Alex T. – I think you do that; look how far we've gotten in the last 5 years. I think we say what gaps we can close today, and ferret out what gaps we will be better able to close in the future.

Dennis – agree with 5 years (which would be 2022); in NE "brands" are a way of life; a lot of the younger ranchers are on board with EID, but still have a lot of old timers that for them brands are a way of life. NE brand commission is a major state entity here with more staff than the State Dept. of Agriculture.



Marty – I think the assumption that with stronger traceability we lose brands is wrong. We need to choke that idea with all our strength. I think both systems can be robust and can help each other. Brands will continue to be primary in those states for ownership.

Thach – agree, brands are primary for ownership, but these systems complement each other. The whole idea that we need to get rid of brands is wrong, it's still a very valuable tool.

Dennis – I agree with you that we need both, but there is a generation of individuals that do not believe in EID. It's going to take a timeframe to educate those individuals and they'll also be replaced by a younger generation. In NE we were able to do a lot of traces with brands.

Thach – agree with you about the traces. But also need better traceability in some situations.

Alex T. – with our experience with the SD traces, one CO brand was confused with a SD brand; had 35 animals killed we suspect due to a brand misidentification. There is a reason why we need to use ID as an adjunct to brands.

Neil – think we need to make it clear that we are not trying to replace brands, and that brands can benefit and complement traceability. To bring us back to the timeline, are we thinking 2021?

Marty – Dennis corrected me that 5 years would be 2022. Whatever date we come up with will be arbitrary to some degree, but think we need to give a date, because we will get further. Think our recommendations will carry more weight with a date.

Neil – so looking at a target date of 5 years with commerce compatible tag and EID?

Paul – agree with nailing down a timeline.

Marty – one advantage with 5 years is it would also allow for rule-making if needed.

Stacey – agree that a timeline is a good idea; how about “EID by 2023”?

Neil – so looking at a 5 year target date to look at for implementation of an EID solution; are we comfortable with that?

Dennis – yes

Tom – yes, agree

Rose – I like “EID by 2023”; nothing less than 5 years

Alex T. – yes, think the support is there for 5 years, but we need to decide what the EID technology will be in order to give industry five years to work toward it.



Neil – certainly agree the task force would need to establish a target date within 2-2 ½ years to decide what the commerce-compliant EID tag will be.

Thach – I think we should use January 1<sup>st</sup>, instead of some random date that no one will remember.

Neil – a date, or just a year?

Thach – by January 1, 2023.

Marty – agree with Alex that need to set a date for the decision on the technology standard.

Neil – just as an example, let's say the standard is UHF; today there is one small company doing UHF; it will take more time than we may think to get the equipment and tags to get to the marketplace.

Marty - so if it takes 2-2 ½ years to decide on the technology, that only leaves 3 years for the implementation.

Alex T. – I think the task force has to meet as soon as possible after the September Forum; we need to get a technology standard established as soon as possible.

Thach – agree, but don't think we should set a firm date; a lot can happen between then and now.

Neil – agree a lot can happen; we need to remember that we will need a transition period; the compatibility will take a significant amount of time in and of itself.

Neil – I know there is a lot of support for UHF; with a limited number of UHF tags in the market place there are a lot of unknowns. We've got neighbors to the north and south with LF tags. I expected Allflex to have a combo tag by last March, but the latest is that they're not going in that direction. There are a lot of unknowns. It's not an easy thing to get to, but we have to. Agree that we need to set a target date.

Neil – Does anyone have anything else on ICVI exemptions? We have acknowledged that over time we may need to make adjustments.

Thach – I think we have what exemptions we want for “today”, but perhaps we can come back to the exemptions for “tomorrow” on the next call. Does the group agree that based on the current survey votes we have agreement on “today”?

Alex T. – could we remove or consolidate #5 and #6? #6 is redundant to me.

Neil - we could probably eliminate #5 because #6 covers that.

Thach – agree

Neil – what about movement out of the state but then back into it? We have said that that is not really an interstate movement exemption.

Thach – one question I have struggled with was the interstate movement vs. interstate commerce. I had the impression that the working group was still in favor of this, but it's unclear?

Paul – thought we agreed to cattle leaving farm of origin.

Neil – Next Topic

**Uniformity of State Import Regulations (pg. 24-25)**

Last discussion we acknowledged this issue because it was brought up by markets and accredited veterinarians at the public meetings. We acknowledge that there are differences but some of it is justifiable. For instance there are geographic differences where disease requirements are less in certain areas vs. others. Any other points on this section? Everyone ok?

Neil – Next Topic

**Uniform “National ADT Tag” (pg. 25)**

On the subject of a uniform national tag – some have indicated they prefer some management options for producers, but that there are problems moving cattle from one herd to another, where some producers prefer to remove the tag. Also, a uniform tag (one color, size, type) could be produced for less money. The language on pg. 25 acknowledges that the USDA should study the merit of a uniform official ID tag further.

Linda (?) – I think it needs to be flexible. Remember swine ID tags were going to be pink, then the industry wanted color. Some flexibility would move this in the right direction.

Alex T. – agree with having flexibility, but having a uniform official ID should be the overarching goal.

Neil – so we should acknowledge uniformity to what degree in the final report?

Alex T. – having a single button tag is our end goal. We want flexibility, but the flexibility we have now is what has led us to our current confusion.

Randy – it'd be nice to have one uniform tag, it would be easier to recognize and would decrease the incidence of people cutting out tags. Looking at other countries like Australia and New Zealand, they have crossed that bridge and have only one official ID tag. I think we can learn from them.

Neil

**Next Topic - Inclusion of Beef Feeder Cattle**

I took a stab at offering a position statement; feeders need to be brought into the equation; TX and others think it is important to come up with an implementation plan. Incremental implementation of feeder ID with the knowledge that it will take time to establish the infrastructure. Their point was don't wait until everything is perfect to implement, better to have an incremental solution. The intent is to acknowledge that this is part of the long term solution.



Thach – I think it was well drafted and accurate and what needed to be said. Unfortunately, if that is included, once some groups see that it is all they will see. Think we stick with leaving feeder cattle out of the picture until we get current traceability improved, then request separate comments on including feeder cattle.

Alex T. – at public meetings, some of those same groups (NCBA, LMA) support identifying cattle at place of origin. It may be a matter of what optics we are viewing it thru. Have the “bad” optics of “the next phase is feeder cattle”, maybe the next stage is “identifying to the place of origin”. For instance, if wearing a metal clip right now there is a speed of commerce problem. Maybe this a way to calm down some of those people/groups. Maybe start with ID at birth premise, and then 3 years from now it becomes a non-point because so many of those animals are already identified.

Kendra Frasier– we definitely have had the same types of conversations. Feeders say “no regulations for the sake of regulations”, markets say “don’t slow us down” and the Secretary of Agriculture is saying she’s hearing “let’s move with it”. I think we implement incrementally with a 5 year plan. We have a split in the state depending on who is speaking.

Thach – overall the public comments say leave it alone for now; so anything more than “leaving it out” and its opponents will refocus on it and resist. Afraid that it will take the focus away from what we’re trying to do.

Neil – agree and understand, we had that problem at our public meetings. So should we leave it out of our recommendations all together? What about groups like the TX cattlemen that want us to pursue it?

Thach – I think we leave 90% of it out. I think we leave it out of discussion on part 86.

Linda – one of the things to keep in mind is we do have states that have the ability to regulate more stringent requirements than federal ID. For example, TX or KS could do that. Historically, a lot of the time State regulations are what initiate movement on the federal level.

Thach – every state has to choose traceability on animals going in (breeding animals) vs. animals going out. One reason it’s so important is so we can find those states of origin, herds of origin. It’s ironic how for breeders and feeders traceability is important for completely different reasons.

Thach – question regarding the green highlighted section, listing serial tags vs. individual ID. Marty talked about pulling this out? Is that what we want to do?

Marty – we had a brief discussion on that, Thatch illustrated to me some examples when the series is not sufficient. At this point, I’m on the fence. I think numbers in series would work most of the time, but there would be a small amount of situations where it didn’t.

Neil – the section we’re discussing is on pg. 24; ques is do we want to leave this paragraph in or out?

Marty – the concern I have at this point is if we use ranges – that it could get over used.

Thach – I think for someone who wants to remove exemptions, you’re holding into this one tight. I think we should pull it out, others agree?

Neil – The language says, we will review later, not that we support it or not.

Stacey – agree, I hesitate to allow ranges; I think the less we could do with that the better.

Neil – so we agree to strike that section from the report.

Neil – on feeder cattle, I suggest we acknowledge it, but keep it brief. If we don’t include it at all, we’ll be asked about our position.

Thank you everyone. Next call is Tuesday, September 12<sup>th</sup>.

**Hammerschmidt, Neil E - APHIS**

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**From:** Hammerschmidt, Neil E APHIS  
**Sent:** Wednesday, August 9, 2017 8:43 AM  
**To:** Alex Turner (alex.turner@state.co.us); Allie Steck (asteck@pa.gov); Dennis Hughes (dennis.hughes@nebraska.gov); diane.kitchen@freshfromflorida.com; Geiser Novotny, Sunny APHIS; Hammerschmidt, Neil E APHIS; justin.smith@kda.ks.gov; Linda Hickam (linda.hickam@mda.mo.gov); Linfield, Thomas F APHIS; Massengill, Rose APHIS; paul.mcgraw@wisconsin.gov; richard.odom@vdacs.virginia.gov; Schwabenlander, Stacey (BAH); Scott, Aaron E APHIS; Thach.Winslow@wyo.gov; Westly, Rolf C APHIS; Zaluski, Martin  
**Cc:** Munger, Randy D APHIS; Witherspoon, Daisy M. APHIS; Reed, Alexandra A APHIS  
**Subject:** Schedule for WG Conf Calls and Consensus / Discussion Document  
**Attachments:** ADT 2017 WG Key Discussion and Consensus Points 08 09 17.docx

Greetings,

I believe we have made good progress with our discussion on ADT "Next Steps", yet realize we have some ground to cover. I've attached a text document with our consensus points (pages 1 – 5) and those topics remaining for discussion (pages 6 – 8) . Please let us know if you have additional items to add to the list.

We'll try to discuss exemptions and movement documents on our next call. Please review the comments prepared to facilitate this discussion on the attached document.

Also, inserted below is a proposed timeline for arriving at our preliminary report for the Traceability Forum next month. If possible, we'd like to add two additional conference call noted in red text (if the majority of the WG members are available). Please feel free to call or email us if you have points to help move our efforts along.

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**Proposed WG Plan/Timeline**

- Tuesday, August 15, 2017, 12:30 p.m. EDT
  - o Exemptions (ID and Movement)
  - o ICVI requirements
- Tuesday, August 22, 2017, 12:30 p.m. EDT (additional)
  - o Enforcement
  - o Collection of ID / Cross Reference to carcass at Slaughter
  - o Pending issues
- 
- Tuesday, August 29, 2017, 12:30 p.m. EDT
  - o Recommendation/Position on Beef Feeders
  - o Pending issues
- Tuesday, September 5, 2017, 12:30 p.m. EDT (additional)
  - o Pending issues
  - o Conclude recommendations
  - o Review written recommendations for WG report on initial consensus points
- 
- Tuesday, September 12, 2017, 12:30 p.m. EDT
  - o Complete review / discussion of written report for traceability forum



- Tuesday, September 19, 2017, 12:30 p.m. EDT (if necessary)

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Thanks much!

Neil

Neil Hammerschmidt, Program Manager  
Animal Disease Traceability  
USDA APHIS Veterinary Services

Office & Cel [REDACTED]  
<http://www.aphis.usda.gov/traceability/>

## Animal Disease Traceability (ADT)

ADT 2017 WG

Discussion and Consensus Points  
Work in Progress Report

August 9, 2017

### Points of Consensus

- ✓ **Maintain current population covered by official ID requirements** *(exclude beef feeders until current gaps are fixed and other issues are addressed)*
  - All dairy
  - Beef cattle > 18 months of age
  - All rodeo and show/exhibition cattle
  
- *Possible text based on differing opinions on 5/3 conference call:  
Industry leaders should evaluate the merit and practicality to include official identification requirements for beef bulls and beef heifers under 18 months of age specifically sold for breeding purposes. This approach aligns with the priority to identify breeding animals and would align with some existing State requirements. The working group acknowledges the potential confusion and difficulty of enforcing this requirement, thus recommends industry provide additional feedback on this issue.*
  
- ✓ **ID to birth premises (excluding beef cattle <18 months)**
  - Revise regulation to include interstate commerce and if USDA has the authority establish each of the following triggers that would require official ID:
    - Change of ownership
    - First point of commingling
    - Interstate movement (may reflect no sale and no commingling)
  
  - ✓ If USDA does not have such authority, encourages all states to established equivalent regulation to trigger official ID

Note: Beef cattle < 18 months would not be included in this criteria until beef feeders are incorporated into the official ID requirement. Therefore, adult beef breeding cattle would require ID at trigger points.

✓ **Progress towards electronic system for cattle**

- Both electronic ID methods and records are necessary and need to be accounted for in the overall infrastructure
  - Address each separately utilizing appropriate expertise

✓ Electronic ID Methods

- The ADT WG 2017 supports the implementation of electronic ID as the method of official identification for cattle and recommends:
  - The establishment of an industry and State/Federal Task Force to develop a comprehensive “path forward” proposal for the implementation of electronic ID for cattle. (Note: Subgroups with additional expertise may be necessary to address certain issues.)
  - Key areas, roles and responsibility of the task force to include:
    - Standardization:
      - Propose minimum performance standards that will achieve a solution that works at the speed of commerce<sup>1</sup> for all cattle handling environments at a highly effective read rate, e.g., 95% read rate (read rate to be proposed by task force)
      - Propose a non-proprietary and most effective technology solution based on results of performance evaluations that adhere to established technical communication standards that will ensure compatibility of devices across manufacturers.
      - Examine the merits of a uniform national ADT electronic tag (format, size, color, etc.) to help clarify which tag must remain in the ear and propose the option(s) accordingly
    - Transitional solutions
      - Identify solutions that will “bridge” or include other electronic solutions during a defined transition period (ensure workability of current/existing technologies)
    - Timelines
      - Propose a realistic timeline with key steps to support the transition to a fully integrated system, e.g.,
        - Set a date for when visual only official tags will no longer be available (manufacturer, sold or provided by USDA). All cattle tagged after a defined date need official EID tags (previously officially tagged cattle do not need to be retagged). Objective is to deplete inventories during this phase out.
        - Set a date for when all cattle needing official ID date must be officially EID’d (prior to this date official visual

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<sup>1</sup> Interpretation of “speed of commerce”: Referred to as, “compatible with existing accepted commerce systems; the ID device/method shall be compatible with existing accepted commerce systems, allowing for the reading/recording of official ID in a safe and humane manner at a pace that does not impede the normal and accepted processing time; and shall be compatible with Beef Quality Assurance (BQA) and Dairy Animal Care and Quality Assurance (DACQA) standards and practices.”

## Animal Disease Traceability (ADT)

### ADT 2017 Working Group Agenda/Topics

Tuesday, July 11, 2017 --- 12:30 p.m. eastern time

Audio

Phone: 888-844-9904 Access Code [REDACTED]

Webinar Portion

<https://connect16.uc.att.com/usda/meet/?ExEventI> [REDACTED]

- Roll Call
- Summary of WG Survey on EID
  - Review outcomes
- ADT priority consensus points – Electronic ID (see page 2 and 3 of consensus document)
  - Review and define the expectations of the Task Force on EID Proposal
  - Finalize other points on EID methods
  - Identify additional points on electronic records
- Define “speed of commerce”
- Identify other key traceability gaps that need to be addressed
  - \_\_\_\_\_
  - \_\_\_\_\_
- Other
- Next Conference Calls
  - Tuesday, July 25, 2017, 12:30 p.m. EDT
  - Tuesday, August 15, 2017, 12:30 p.m. EDT
  - Tuesday, August 29, 2017, 12:30 p.m. EDT
  - Tuesday, September 12, 2017, 12:30 p.m. EDT
  - Tuesday, September 19, 2017, 12:30 p.m. EDT (if necessary)
- Traceability Forum, Denver (Hosted by NIAA and USAHA)  
8:00 a.m. September 26 to 12:00 noon September 27, 2017
  - Present report on draft recommendations that address traceability gaps

**NIA** National Institute for  
Animal Agriculture

**USDA**  
U.S. DEPARTMENT OF AGRICULTURE  
U.S. ANIMAL HEALTH

Joint Forum on

## Livestock Traceability

September 26 & 27

DoubleTree by Hilton Hotel | Denver-Stapleton North, Denver, CO



## **Animal Disease Traceability (ADT)**

**ADT 2017 WG**

**Discussion and Consensus Points  
Work in Progress Report**

**July 10, 2017**

- ✓ **Maintain current population covered by official ID requirements** (*exclude beef feeders until current gaps are fixed and other issues are addressed (speed of commerce in particular)*)
  - All dairy
  - Beef cattle > 18 months of age
  - All rodeo cattle

Points for additional discussion include/exclude official ID requirement for:

- *Exhibition cattle*
  - *Also discuss merit/practicality of including*
    - *Beef bulls <18 months sold for breeding purposes*
    - *Beef heifers < 18 months that are sold for breeding purposes (replacement sales, etc.)?*
- ✓ **ID to birth premises (excluding beef cattle <18 months)**
    - Revise regulation to include interstate commerce and if USDA has the authority establish each of the following triggers that would require official ID:
      - Change of ownership
      - First point of commingling
      - Interstate movement (may reflect no sale and no commingling)
    - If USDA does not have such authority, encourages all states to established equivalent regulation to trigger official ID

*Note: Beef cattle < 18 months would not be included in this criteria until beef feeders are incorporated into the official ID requirement. Therefore, adult beef breeding cattle would require ID at trigger points.*



✓ **Progress towards electronic system for cattle**

- Both electronic ID methods and records are necessary and need to be accounted for in the overall infrastructure
  - Address each separately utilizing appropriate expertise

□ Electronic ID Methods

- The ADT WG 2017 supports the implementation of electronic ID as the method of official identification for cattle and recommends:
  - The establishment of an industry and State/Federal Task Force to develop a comprehensive “path forward” proposal for the implementation of electronic ID for cattle. (Note: Subgroups with additional expertise may be necessary to address certain issues.)
  - Key areas, roles and responsibility of the task force to include:
    - Standardization:
      - Propose minimum performance standards that will achieve a solution that works at the speed of commerce<sup>1</sup> for all cattle handling environments at a highly effective read rate, e.g., 95% read rate (read rate to be proposed by task force)
      - Propose a non-proprietary and most effective technology solution based on results of performance evaluations that adhere to established technical communication standards that will ensure compatibility of devices across manufacturers.
      - identify technical solutions that will “bridge” or include appropriate electronic solutions during a defined transition period (ensure workability of current/existing technologies)
      - Examine the merits of a uniform national ADT electronic tag (format, size, color, etc.) to help clarify which tag must remain in the ear and propose the option(s) accordingly
    - Timelines
      - Propose a realistic timeline with benchmarks or key steps to support the transition to a fully integrated system, e.g.,
        - All cattle tagged after a defined date need official EID tags (previously officially tagged cattle do not need to be retagged)
        - All cattle needing official ID after a set date must be officially identified with an EID tag (visual only tags no longer recognized as official, retagging after this date would be necessary)
    - Funding options
      - Consider funding options, e.g.,
        - Startup Incentives

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<sup>1</sup> Speed of commerce: To be defined by ADT 2017 WG

- Allow small producers to obtain equivalent of volume discounts, etc. (1st 20 tags for \$x.00 regardless of volume purchased)
    - Spread cost equitably across industry sectors
    - Utilize funds currently in place to support NUES tags acquisition and distribution on EID investments
    - Others \_\_\_\_\_
- Stakeholder review/consideration of EID implementation proposal
  - Broad support of industry critical.
  - Various communication strategies would need to be developed to review the proposal with the industry.
- WG report will also elaborate more on the merits of an EID solutions, emphasize the need to have near 100% of cattle with compatible EID tags to have an successful and cost effective system. Additionally, a cost analysis is to be completed on full cost of metal NUES tags and account for limitations (.e.g., tag retirement). Establish timeline to phase out free metal NUES tags. ADT cooperative agreements to define guidelines more specifically on utilization of funds for advancing RFID infrastructure to advance traceability.
- Other points that have been expressed relative to EID:
  - The requirement to record existing official ID numbers when adding an RFID tag should be reexamined.  
Discuss if the WG believes it should be void during the transition to a fully EID system to minimize the burden that this requirement would cause.
  - The use of "USA" for replacing "840" should be prohibited.
- Regulation for EID as sole official ID method
  - When the proposal is well supported by industry and animal health officials, initiate rule making that defines the selected electronic technology tag as the official ID method for cattle
  - Develop extensive communication plan and provide extensive communication materials to establish clear understanding of future requirements
- Electronic Record
  - Programmatic issue/task - does not require regulation or ADT framework revisions
  - Standardize data elements and communication protocols (discussed on initial ADT WG calls)
    - ICVI schema
      - Shortfalls need to be addressed
      - USAHA group to maintain leadership role
      - USDA/Randy Munger available to support technical issues
    - Other issue/tasks TBD

**Future WG discussion points**

- Remove/minimize exemptions**
  - *WG needs to review each exemption individually and note which ones could /should be eliminated*
  - *ADT staff will prepare complete list of current exemptions for discussion of each on a future conference call*
  
- Beef feeder cattle official ID requirement**
  - Consider inclusion only when basics for dairy and adult beef cattle are successfully implemented, however do not indicate that feeder cattle are excluded indefinitely
  - Conduct cost benefit analysis of identifying beef feeders
  - Consider incremental implementation
    - Start with RFID and bookend with ID to birth premises and tag retirement (no recording of IDs on movement documents)
    - Build RFID infrastructure overtime to collect official IDs for movement records
  
- 840 AIN Restriction for use on US born livestock only

(Other programmatic items like ICVI schema are maintained on WG's timeline/category chart)



**Hammerschmidt, Neil E - APHIS**

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**From:** Hammerschmidt, Neil E APHIS  
**Sent:** Monday, August 28, 2017 10:32 AM  
**To:** Alex Turner (alex.turner@state.co.us); Allie Steck (asteck@pa.gov); Dennis Hughes (dennis.hughes@nebraska.gov); diane.kitchen@freshfromflorida.com; Geiser Novotny, Sunny APHIS; Hammerschmidt, Neil E APHIS; justin.smith@kda.ks.gov; Linda Hickam (linda.hickam@mda.mo.gov); Linfield, Thomas F APHIS; Massengill, Rose APHIS; paul.mcgraw@wisconsin.gov; richard.odom@vdacs.virginia.gov; Schwabenlander, Stacey (BAH); Scott, Aaron E APHIS; Thach.Winslow@wyo.gov; Westly, Rolf C APHIS; Zaluski, Martin  
**Cc:** Witherspoon, Daisy M. APHIS; Reed, Alexandra A APHIS; Munger, Randy D APHIS  
**Subject:** ADT 2017 EG Agenda and Material for Conf Call on Tues, Aug 29 at 12:30 p.m. eastern  
**Attachments:** 2017 08 29 ADT 2017 WG Agenda.doc; IVCI Exemption for Discussion Survey.xlsx; ADT 2017 WG Key Discussion and Consensus Points 08 28 17 B.docx

**Animal Disease Traceability (ADT)**  
**ADT 2017 Working Group**  
Agenda/Topics

Tuesday, August 29, 2017 --- 12:30 p.m. eastern time

Phone: 888-844-9904 Access Code (b) (6)

- Roll Call
- WG Position/Recommendations on Enforcement**, Hughes, Westly, Odom (page 8 and 9 of consensus documents)
  - Respond to comments on "uniform enforcement"
  - Other suggestions that warrant consideration
- Use of 840 for US born only**, Turner, Kitchen, Linfield, Munger (page 10 of consensus document)
  - Draft recommendation on solution to ensure official EID tag available for tagging imported cattle while maintaining designation of an import
- Movement Documents**, Zaluski, Winslow, Scott (page 8)
  - Point of emphasis: Considerations for future options/solutions
  - ICVI exemptions (pending) (see Excel file for discussion reference)
- Pending Topics or others that need to be considered/added**



- Position on inclusion of Beef Feeders
- Uniform “national ADT tag”
- Uniformity of State Import Regulations
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Next Conference Calls

- **Tuesday, September 5, 2017, 12:30 p.m. EDT (additional)**
  - o Pending issues
  - o Review written report for traceability section
- **Tuesday, September 12, 2017, 12:30 p.m. EDT**
  - o Complete review / discussion of written report for traceability forum
- **Tuesday, September 19, 2017, 12:30 p.m. EDT (if necessary)**

Traceability Forum, Denver (Hosted by NIAA and USAHA)

**8:00 a.m. September 26 to 12:00 noon September 27, 2017**

- Present report on draft recommendations that address traceability gaps



Joint Forum on

**Livestock Traceability**

September 26 & 27

## **Animal Disease Traceability (ADT)** **ADT 2017 Working Group** Agenda/Topics

Tuesday, August 29, 2017 --- 12:30 p.m. eastern time

Phone: 888-844-9904 Access Code (b) (6)

- Roll Call**
- WG Position/Recommendations on Enforcement**, Hughes, Westly, Odom (page 8 and 9 of consensus documents)
  - Respond to comments on “uniform enforcement”
  - Other suggestions that warrant consideration
- Use of 840 for US born only**, Turner, Kitchen, Linfield, Munger (page 10 of consensus document)
  - Draft recommendation on solution to ensure official EID tag available for tagging imported cattle while maintaining designation of an import
- Movement Documents**, Zaluski, Winslow, Scott (page 8)
  - Point of emphasis: Considerations for future options/solutions
  - ICVI exemptions (pending) (see Excel file for discussion reference)
- Pending Topics or others that need to be considered/added**
  - Position on inclusion of Beef Feeders
  - Uniform “national ADT tag”
  - Uniformity of State Import Regulations
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- Next Conference Calls**
  - **Tuesday, September 5, 2017, 12:30 p.m. EDT (additional)**
    - Pending issues
    - Review written report for traceability section
  - **Tuesday, September 12, 2017, 12:30 p.m. EDT**
    - Complete review / discussion of written report for traceability forum
  - **Tuesday, September 19, 2017, 12:30 p.m. EDT (if necessary)**
- Traceability Forum, Denver (Hosted by NIAA and USAHA)**
  - 8:00 a.m. September 26 to 12:00 noon September 27, 2017**
  - Present report on draft recommendations that address traceability gaps



*Joint Forum on*

### **Livestock Traceability**

**September 26 & 27**

DoubleTree by Hilton Hotel | Denver-Stapleton North, Denver, CO

## Animal Disease Traceability (ADT)

ADT 2017 WG

### Discussion and Consensus Points Work in Progress Report

August 28, 2017

#### Points of Consensus

- ✓ **Maintain current population covered by official ID requirements** *(exclude beef feeders until current gaps are fixed and other issues are addressed)*

- All dairy
- Beef cattle > 18 months of age
- All rodeo and show/exhibition cattle

□ *Possible text based on differing opinions on 5/3 conference call: Industry leaders should evaluate the merit and practicality to include official identification requirements for beef bulls and beef heifers under 18 months of age specifically sold for breeding purposes. This approach aligns with the priority to identify breeding animals and would align with some existing State requirements. The working group acknowledges the potential confusion and difficulty of enforcing this requirement, thus recommends industry provide additional feedback on this issue.*

- ✓ **ID to birth premises (excluding beef cattle <18 months)**
  - Revise regulation to include interstate commerce and if USDA has the authority establish each of the following triggers that would require official ID:
    - Change of ownership
    - First point of commingling
    - Interstate movement (may reflect no sale and no commingling)
  - ✓ If USDA does not have such authority, encourages all states to established equivalent regulation to trigger official ID

Note: Beef cattle < 18 months would not be included in this criteria until beef feeders are incorporated into the official ID requirement. Therefore, adult beef breeding cattle would require ID at trigger points.



✓ **Progress towards electronic system for cattle**

- Both electronic ID methods and records are necessary and need to be accounted for in the overall infrastructure
  - Address each separately utilizing appropriate expertise

✓ Electronic ID Methods

**Recommendation:** The United States must move towards an EID system for cattle. A comprehensive plan to address the multitude of very complex issues related to the implementation of a fully integrated electronic system is necessary. The plan should be developed through a specialized industry lead task force with government participation. Objectives of the task force should account for several of the key issues including:

- Standardization:
  - Propose minimum performance standards that will achieve a solution that works at the speed of commerce<sup>1</sup> for all cattle handling environments at a highly effective read rate (e.g., +95% read rate)
  - Propose a non-proprietary, cost efficient and effective technology solution based on results of performance evaluations that adhere to established technical communication standards that will ensure compatibility of devices across manufacturers.
- Transitional technology solutions
  - Identify solutions that will “bridge” or incorporate other electronic solutions during a defined transition period (ensure workability of current/existing technologies)
- Timelines
  - Propose a realistic timeline with key steps to support the transition to a fully integrated EID system, e.g.,
    - Set a date for when visual only official tags will no longer be available (manufactured, distributed, sold or provided, including “brite” NUES tags from USDA). The objective is to deplete tag inventories during this phase out period. Cattle tagged with visual only tags prior to this date and through a transition period would not need to be retagged with EID tags.

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<sup>1</sup> Interpretation of “speed of commerce”: Referred to as, “compatible with existing accepted commerce systems; the ID device/method shall be compatible with existing accepted commerce systems, allowing for the reading/recording of official ID in a safe and humane manner at a pace that does not impede the normal and accepted processing time; and shall be compatible with Beef Quality Assurance (BQA) and Dairy Animal Care and Quality Assurance (DACQA) standards and practices.”



- Set a date for when all cattle needing official ID date must be officially electronically identified. (Cattle with visual only tags after this date must be retagged with official EID tags.
- Funding
  - Consider funding options for addressing cost concerns, e.g.,
    - Federal startup funds
    - Startup incentives; cost share, etc.
    - Allow small producers to obtain equivalent of volume discounts, etc. (1st 20 tags for \$x.00 regardless of volume purchased)
    - Spread cost equitably across industry sectors
    - Utilize funds currently in place to support NUES tags acquisition and distribution on EID investments
- Other recommendations related to EID implementation proposal:
  - USDA should deplete its inventory of metal NUES tags and discontinue providing free “brite” NUES tags by January 2019.
  - USDA should utilize EID tags in all cattle disease programs and the brucellosis program should move to an orange OCV EID tag exclusively.
  - The requirement to record existing official ID numbers when adding an EID tag to individual animals already officially identified with visual only tags should be reexamined. The WG suggests that the regulation requiring the recording of previously applied visual only numbers be waived for a period of time when the official EID tag requirement is first enacted. This approach will help minimize the burden that this requirement would otherwise cause.

Industry and other stakeholder feedback on the proposal will be solicited after it is published by the task force. Additionally, various communication strategies should be utilized to engage stakeholders in the review process. USDA should only consider rule making that defines the selected official EID method for cattle when the EID implementation plan is well supported by the cattle industry as evidenced by the comments received. Additionally, the development of an extensive communication plan would be needed to support the clear understanding of future requirements.

(Other meeting comments: WG report will also elaborate more on the merits of an EID solutions, emphasize the need to have near 100% of cattle with compatible EID tags to have an successful and cost effective system. Additionally, a cost analysis is to be completed on full cost of metal NUES tags and account for limitations (.e.g., tag retirement). Establish timeline to phase out free metal NUES tags. ADT cooperative agreements to define guidelines more specifically on utilization of funds for advancing RFID infrastructure to advance traceability.)

□ Electronic Record

*Note: Programmatic issue/task - does not require regulation or ADT framework revisions*

- Standardize data elements and communication protocols (discussed on initial ADT WG calls)
  - ICVI schema
    - Shortfalls need to be addressed
    - USAHA group to maintain leadership role
    - USDA/Randy Munger available to support technical issues
    - USDA needs to implement for VSPS
  - Animal Health Event Repository (AHER)
    - One-stop lookup to determine systems that have data on specific official IDs
    - Accessed through EMRS
    - AHER currently messaged with VSPS, SCS, AIMS, MIMS, EMRS
    - APHIS financially support States on development of messaging service to populate AHER
    - Official IDs, Date, Event type, State
    - Voluntary participation
    - Improve UI provide easy to use summary view
  - USDA to create web application to upload or manually enter data and create official forms
    - Create a user friendly, feature rich, web based application for uploading electronic data and creating the necessary forms while allowing data to flow automatically into State and federal data systems.
    - Additional features: manual entry, retain files, address book, message date
    - Message data from web interface to multiple systems and between systems (USAHerds to Herds or SCS, SCS to SCS or Herds, and to EMRS or VSPS)
    - Data must be available for sharing between Federal and State systems and between multiple Federal systems
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✓ Private/Public Partnership for Data Solutions

Background: Confidentiality and security of data remains a significant concern by many cattle producers and needs to be resolved to strengthen industry buy-in and support for advancing traceability. Private information systems that support various marketing programs, including AMS Process Verification Programs, branded products, etc. have traceability data that should be utilized to help achieve ADT objectives in the future.

APHIS and States need to establish a partnership with industry that would enable private information systems to be utilized for disease surveillance and response events. Communication protocols (messaging) between the private systems and an animal disease traceability portal would be established so producer data could be maintained in the private



system and made available to animal health officials only when needed for animal disease control and response. In so doing, producers would have the choice to have their data held in a private or public system. It is understood that producer data held in State and Federal systems would continue to be protected and used only for disease response.

Recommendation: ADT supports options for producers to have their records maintained in private systems (e.g., PVPs and similar). The basic concept would account for:

- Define data elements and standards for traceability information that private systems would adhere to (primarily official ID number formats and premises ID)
- Communication protocol that would allow a government portal to message the private systems only when a search for animal numbers or premises is needed to respond to an animal disease event.
- Only State and Federal Animal Health Official would have access to the portal.
- Note: This concept is similar to the solution that had been initiated in NAIS when the Animal Tracking Databases were being privatized.

✓ **Interstate Movements that do not apply to traceability regulations in 9 CFR Part 86**

Smaller producers that raise cattle for direct sale of meat products to consumers express concern regarding the cost of future traceability requirements. As noted in the final rule on traceability, the regulation does not pertain to interstate movements to a custom slaughter facility as such cattle are highly traceable to the premises if disease issues are detected at the slaughter facility.

**Recommendation:** Maintain the description of interstate movements that not apply to the traceability regulation:

- ✓ The movement occurs entirely within Tribal land that straddles a State line and the Tribe has a separate traceability system from the States in which its lands are located; or (with additional clarification from Linfield and Winslow)
- ✓ The movement is to a custom slaughter facility in accordance with Federal and State regulations for preparation of meat.

*Note: The recommendation on identifying animals to their birth premises would clarify that the exclusion of movements to custom slaughter would pertain only to animals that were born on the premises that ships to the custom slaughter facility.*

✓ **Exemptions on Official Identification**  
(draft text based on 8/17 survey and 8/22 discussion)

It is broadly acknowledged that the exemptions for official identification creates confusion and challenges to uniformly enforce ADT requirements. The working group reviewed each official identification exemption provided for in 9 CFR Part 86.4. The direct to slaughter movements, in particular those through one

approved facility, are of the most concern and providing a simple revision to resolve this issue is challenging and noted as needing additional input from the industry.

Each exemption to the current official identification regulations is referenced below with recommendations for each.

**Recommendation:**

- Commuter herd agreements: The exemption for official identification should be removed, but the requirement for individually listing the animals' identification number on the movement document should be changed to allow for a range of numbers when a high majority of the animal numbers being moved are within that range or as agreed upon by the State Animal Health Official.
- Movements returning to the same State: Maintain the current position that official identification should not be required for these movements.
- Tagging sites: The option to move cattle to a tagging site where they are tagged on behalf of the owner or person responsible should be maintained.
- Official identification options as agreed on by shipping and receiving State: This exemption or allowing for alternative methods of identification should be removed.
- Direct to slaughter movements:
  - o Cattle moved from the farm/ranch direct to slaughter should be allowed to move, as they do currently, on an approved USDA backtag in lieu of the official identification eartag. The stipulation that requires the official identification of cattle moved from the slaughter plant would remain.
  - o The exemptions for cattle moving to slaughter through one approved livestock facility should be removed unless there are specific controls that can be administered to ensure, to the degree possible, that these animals move direct to slaughter from the approved facility. If such an option is to be considered, involved industry sectors must collaborate with State and Federal officials to work out such a protocol.



The timeline for full implementation of an EID solution will warrant that the official identification exemptions for direct to slaughter movements be phased out over a transition period. This will ensure that all cattle covered in the traceability regulation at that time are identified with the same technology tag as they arrive at the slaughter.

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## Pending Consensus

### Movement documents

#### **FOR DISCUSSION from subgroup discussion on 8/24**

The working group reviewed the importance of ICVIs and the challenges they present. As noted in the section on electronic records, continued emphasis on electronic ICVIs and other electronic movement records should be made a high priority. While the working group is not offering a specific change to the ICVI requirements, they provide suggestions that should be considered in the future.

#### Recommendations:

The use of ICVIs and alternative movement documents should continue to be examined to account for anticipated changes in technology, in particular EID, as well as regional differences regarding the availability of accredited veterinarians. Emphasis must be made on obtaining accurate and complete records of official identification numbers and the ship from and ship to locations. Other processes that obtain this information through movement permitting processes or other options that States have found to be successful must be considered. While consistency of requirements is fully supported, the State of destination should have the greatest responsibility in determining the movement requirements of cattle moved into their State.

The pros and cons of recording each individual official identification number on the movement document versus listing a range of numbers needs to be evaluated. These requirements and other processes considered for movement documents need to coincide with timelines set for the implementation of EID solutions that will need to work at the speed of commerce.

Pending discussion on ICVI exemptions

### Enforcement

#### ***Draft text updated to reflect subgroup discussion on 8/24***

A high level of compliance with the ADT regulations is imperative to have successful results when tracing animals. The Working Group discussed feedback from the public meetings regarding the need for greater uniformity of enforcement, in particular private treaty sales. They also note the need for higher levels of monitoring is necessary in environments where a disease spread is a higher risk and where the disease event would have the most significant impact. These locations would be those where cattle are commingled from various premises and then move to additional premises, including livestock markets, buying stations, consignment sales, etc.

The Working Group also notes that fewer exemptions and “loopholes” in the regulations would improve the ability to monitor for compliance as the current rule allows for many cattle to move unidentified. These exemptions complicate the recognition of animals moving that are not in compliance with the official identification requirement.

#### **Recommendations:**

- Maintain a higher level of enforcement oversight at locations where there are higher risk of disease spread that would have most detrimental impact on the industry
- Evaluate and implement enforcement procedures for private sales, internet sales,



- production sales, herd dispersals, etc.
- Work with transportation agencies to perform spot-checks on highways and at transport nodes to monitor compliance to the ADT regulations during transport of the animals.
- Encourage states of destination to inform states of origin of ADT or other violations.
- Survey State and Federal officials to establish a comprehensive listing of compliance oversight methods used across the country.
- Obtain specific recommendations from participants attending the NIAA Traceability Forum.
- Share recommended practices and enforcement methods nationally and encourage local APHIS officials to work collaboratively with State Animal Health Officials to implement appropriate options.
- Activities of cattle dealers, online auctions and others involved in commercial buying/selling of cattle should be regulated by State dealer licensing regulations

**Slaughter Plant ID Collection / Cross Reference**

***Draft text for WG position and recommendation prepared by staff for WG discussion***

Successful traceability relies on maintaining the animal's identity at slaughter plants through final carcass inspection. Under 9 CFR Parts 86 and 310.2, all ID devices affixed to covered livestock unloaded at slaughter plants must be collected and correlated with the animal and its carcass through final inspection or condemnation by means approved by FSIS. If diagnostic samples are taken, the identification devices must be packaged with the samples and be correlated with the carcasses through final inspection or condemnation by means approved by FSIS. Success at meeting these requirements is inconsistent across the industry due to factors such as lack of education, personnel turnover, as well as safety and efficiency concerns related to collection of ID at the speed of the line. Failure to properly correlate ID to the correct carcass hampers traceability efforts and diminishes the value of the official ID.

**Recommendation:** APHIS needs to continue the efforts of the State/Federal Slaughter Plant Working Group to improve the rates of ID collection and correlation at slaughter including:

- Development of training and outreach materials on the requirements for new plant, FSIS and APHIS personnel.
- Monitoring of diagnostic submissions collected to ensure correlation practices are sufficiently applied at slaughter plants.
- Maintaining constant communication and collaboration with FSIS to assist slaughter plants with correction of failed collection and/or correlation practices.



☐ **840 AIN – Restriction for using 840’s on US born livestock only**

The definition of Official Eartags in 9CFR, Part 86.4 stipulates that the application of AIN tags (commonly referred to as “840 tags”) is limited to livestock born in the United States. As a result, there is no official EID tag with Low Frequency (LF) technology available to retag imported animals. This has created some challenges in the marketplace. For example, dairies that use 840 AIN tags for herd management, including parlors with integrated daily milk recording LF EID systems are by regulation prohibited from retagging a Canadian import with an 840 eartag. Since there is no official LF EID device, the producer is limited to retagging with the visual or Ultra High Frequency (UHF) NUES tag. Neither tag is compatible with their herd management system. Conflicts with cattle shows that require an official LF EID eartags is also becoming a greater conflict. This issue would become a more significant issue if the US moves to a completely EID solutions for official ID in the future.

**Recommendation:**

The ability to maintain the identity of imported cattle is essential and the retagging of such animals with an official EID 840 should be made available. The proposed solution is to designate a specific range of 840 numbers with a specific tag color as an “Import Tag”. For example, a range starting with “8409” could be reserved for use on these tags. This identification option would clearly identify animals imported to the United States that were tagged with an 840 Import Tag after arriving into the U.S. This process would allow for the utilization of EID technologies when preferred by producer with EID tag types already recognized by USDA as an official identification eartag. The option would also allow for imported cattle with visual only tags to be tagged with an 840 RFID Import Tag (even if the visual only tag is in the ear). Producers using UHF technology could use USDA approved UHF 840 tags or the USDA approved NUES UHF tags when the NUES option is authorized by the State Animal Health Official. To help distinguish Import Tags that have a panel component, the text “Import” would be imprinted on the panel piece of the tag. Visual only 840 tags would not be made available for imported animals.

The restriction limiting the use of 840 tags for USA born animals only in the traceability regulation would be revised to allow for “Import Tags” and would specify the range of AINs and the tag color. The record keeping requirements for tagging imported animals would be the same as currently written in 9CFR Part 86 for retagging and adding a second official tag.

☐ **Position on the official ID of Beef feeder cattle (pending consensus)**

***Draft text for WG position and recommendation prepared by staff for WG discussion***

There are other fundamental gaps in the traceability framework that need to be addressed first, however APHIS and State Animal Health Officials view the inclusion of feeder cattle in the traceability regulations as an essential component of an effective traceability system in the long term. While animal disease is the focus of ADT, ongoing negotiations and audits by trading



partners include review of APHIS' animal disease control programs and our tracing capability is automatically included in this discussions.

It is acknowledged that the tagging of large numbers of beef feeder cattle is not practical or doable at livestock markets during peak periods of feeder sales, thus alternative processes need to be established.

**Recommendation:** While it is agreed that the inclusion of the official identification of beef feeder cattle under 18 months of age is to be addressed in a separate rule making after the current traceability gaps in the breeding animals are rectified, efforts to prepare for their inclusion should continue, including:

- The development of a plan for the inclusion feeder in the official identification requirement should be prepared. This proactive approach will ensure the processes are well-defined in event their inclusion is necessary in response to a worst-case scenario animal disease event with minimal advance notice such as an outbreak of FMD.
- Incremental steps for the official identification of beef feeders should be considered, in particular policies that would allow this sector to be identified to their birth premises with recording of official identification numbers to be implemented as EID technology is highly proven to work at the speed of commerce. Considering starting with EID tags and with the bookend approach with ID to the birth premises and tag retirement.
- While it is recommended that calves are officially identified at their birth premises, options to tag the feeder cattle at secondary locations needs to be considered. For example, extending the tagging site concept to feedlots that receive these cattle direct from livestock markets.
- Studies to document the level of traceability necessary for this sector and its cost/benefit must be completed by USDA

Uniformity of State Import regulations

Other