

USDA - APHIS

TRANSCRIPT OF PUBLIC COMMENTS RECEIVED DURING THE
NATIONAL ANIMAL ID PROGRAM LISTENING SESSION

ISLAND GROVE REGIONAL PARK - 4-H BUILDING

525 N. 15TH AVENUE

GREELEY, COLORADO

TUESDAY, AUGUST 10, 2004 - 1:00 P.M.

IN ATTENDANCE:

BILL HAWKS

UNDER SECRETARY, MARKETING & REGULATORY PROGRAMS

NANCY S. BRYSON, GENERAL COUNSEL

DR. VALERIE RAGAN, ASSISTANT DEPUTY ADMINISTRATOR

MR. ROB WERGE, MODERATOR

(The meeting was called to order at 1:07 p.m. and opening comments were made by Mr. Bill Hawks and Dr. Valerie Ragan.)

MR. WERGE: I will call the first five folks, and you will each have three minutes. You will notice over here there's a little timer. It's very easily color-coded. When it's green, you've got time to talk. When you've got forty-five seconds left, it will turn yellow, and then when it turns red, we all know at that point your time is up. And if you have additional comments beside the verbal ones, if you have some written comments, please let us have those, and those will also be part of the record.

Also, when you begin, if you would please clearly state your name and your organization, if you represent an organization, so that it can be captured by Jennifer over here. We hope we don't get any sound feedback as we go through this, but if we do, we will adjust ourselves as best we can. So the first five folks that I have are Jerry McReynolds--if you can come up and just take a seat up here. Don Shawcroft, Darin Johnson, Scott Stuart, and Don Knowles.

Okay. We'll start off with you, Jerry.

MR. MCREYNOLDS: Thank you. My name is Jerry McReynolds. I'm a beef producer and a member of the board of directors of the Kansas Farm Bureau. I have an operation in northwest/central Kansas. We run 250 mother cows and cattle, 500 head probably, and finish most of those, and we market them through U.S. Premium Beef.

My comments not only represent my thoughts but the views of many Kansas Farm Bureau members, which is representing 4,000 farmers and ranchers. In our organization, we support the establishment and implementation of a National Animal Identification System

capable of providing support for animal disease control and eradication. As you've heard throughout this series, and as I've heard from many of the producers and members and fellow producers, there are several key issues that are very important, and I think we must address them.

Confidentiality. Livestock producers must be assured that the information they submit cannot be accessed by other agencies beyond APHIS and state and federal animal health agencies and not allowed to fall into the hands of those who would use it in any way to harass or destroy their property or their livestock.

Another real important concern is liability. Producers must be assured that they will not be held responsible for the actions of others after the livestock have--is no longer under their control. I believe that this issue is extremely important and appreciate the study and review that is taking place on this. But a national identification program cannot be successful and not move forward unless we have these issues addressed.

A third issue, very important to producers, is cost. In your budget and the president's budget you provided \$33 million for Animal ID. We believe that that is not enough. It should be closer to 73. Producers cannot and should not bear an unfair proportion of the cost of establishing and maintaining a national government identification system.

On a more positive note, we think USDA is absolutely right in choosing to rely fully on the individual states in developing and implementing this system. We applaud the USDA's go-slow, test it, and go ahead with the pilot project approach. We agree that a flexible, technology-neutral, market-driven system is the right way to go, and we believe it is a wise decision to allow the program to be a voluntary one. But we also realize that you need a high level of participation if you're going to achieve the affect that you want to achieve.

With that, I thank you for holding these sessions. I thank you for listening. We look forward to working with USDA and our Kansas Livestock Commission is moving forward with their common-sense, friendly approach to this system. Thank you.

MR. WERGE: Thank you. Perfect timing, by the way.

MR. SHAWCROFT: I'm Don Shawcroft, vice-president of the Colorado Farm Bureau. I come to you from Alamosa, Colorado, the highest--which is home to the San Luis valley, the highest productive Alpine valley in the world. There I am a fourth-generation rancher, and I desire to pass this lifestyle and this economic impact on to the next generation. With that in mind, I'd like you to recognize that there are many producers in the Colorado Farm Bureau who have livestock in this state. In Colorado, 72 percent of the ag commodity cash receipts are from livestock products. This industry is very important to them and to us.

Our biggest concern is when and under what circumstances should the program transition from voluntary to mandatory. As has already been mentioned, certain things must be addressed. In particular is the cost of implementation. The cost to the individual producer is not only the actual tags, the monitoring, and whatever system might be used, but also is the strength that will occur as these livestock are handled numerous times in order to identify what animal they are.

If we are going to run our livestock barns or the individuals who are handling these cattle as they're being transitioned from one owner to the other owner and time means money to the producer, that money is--and time, I think is something that must be recognized. It is an issue. I don't know exactly what the solution is to it, but it must be addressed. If there's a reduction in the amount of money that passes back to the producer or some mistake is made in the records, are they willing to be held personally liable?

Also in concern with the cost is the fact that it is a security issue for this nation. Just as security at airports is a hassle, it is necessary, and there is a cost. Also, it results in the public good and therefore is a public responsibility. In that light, I'd like to also recommend that additional funds be requested from the federal agencies.

Something that must be ironclad in order for this program to move from voluntary to mandatory is confidentiality, freedom from access under the Freedom of Information Act must be there. The fear of the unknown among the producers is going to be driving that.

Another thing that has been mentioned is the liability issue. There must be legislation passed to recognize that ordinary care by producers will, in fact, stand the test of the court such that when the producer does things in which the product has passed the federal or state inspection, they are not to be held liable beyond that ordinary care.

With that, I'd like to thank you for this opportunity to listen to you and give remarks. I'd like to encourage you to follow the initiative, that all livestock should be identified as well. So please, just because you begin to address cattle, don't think that the job is done. Thank you for your time.

MR. WERGE: Thank you, Don. Gary.

MR. JOHNSON: Hello. I'm Gary Johnson, regional representative of the Holstein Association from Fort Collins, Colorado. Holstein Association USA and its 35,000 members are at risk today from threats of additional cases of BSE in this country and from foot and mouth disease. It is our belief that animal identification for production and agriculture is this country's-
-in this country needs to be mandatory.

In addition, it cannot be technology neutral. RFID, radio frequency ID tags, they are the

most accurate, efficient, and cost-effective form of animal ID in the country today and for years in the future.

Without a mandatory animal identification program in this country, we will continue to be denied market access to certain countries throughout the world. Currently, 58 countries have banned US beef since BSE was identified in Washington State late last year.

The National Dairy Farming Identification and Records program, which is coordinated by the Holstein Association, is an animal ID and traceability program in place and working today that incorporates RFID tags. The National FAIR program provides each animal with a unique identification number and uses electronic RFID ear tags to identify and track animals. Similar to a Social Security number or a car's vehicle identification number, the number stays with the animal for its lifetime.

The Holstein Association USA has worked cooperatively with USDA, APHIS, and Veterinary Services since 1999 to design, develop, and demonstrate a pilot project for a National Livestock Identification Program that will trace livestock from farm to farm and farm to market and market to processing unit. This goal has been accomplished, as the National FAIR program has been identifying and tracing animals from birth to slaughter for several years. The National FAIR program has an infrastructure already in place consisting of a comprehensive database, a dedicated tech provider, and a coordinated field service staff.

The National FAIR program was developed by producers, for producers. Currently there are well over 1.3 million animals in the National FAIR database. Information for security in the FAIR system includes where and when the animal was born, what locations the animal has been at, such as farms, markets, or processing plants, what animals the animal--what livestock the

animal has had contact with, and eventually where the animal was slaughtered.

Information in the National FAIR database allows for the tracing of animal movements from birth to slaughter and, as part of the system, tag readers that are designed to read electronic tags are already in place in markets and processing facilities throughout the United States.

Ladies and gentlemen, a National Animal Identification Program needs to be implemented in the United States now. Thank you.

MR. WERGE: Thank you. Scott Stuart.

MR. STUART: Good afternoon. My name is Scott Stuart, and I am commenting on behalf of the National Livestock Producers Association. Our organization represents cooperative livestock working associations nationwide that handle more than seven and a half million head of livestock and over 200,000 individual livestock producers.

Today I want to make some specific comments on the issue of Animal ID as it relates to the livestock marketing sector. Whatever system is eventually finalized, it will affect the marketing sector perhaps more than any other stakeholder in the industry. As you well know, our markets have been incredibly important in the success of animal health programs for many years and they will be very important in the success of NAIS.

As a member of the USAIP steering committee, I've been involved in the planning process, and it's been encouraging to me that the concerns of markets have been listened to and addressed. However, before NAIS is fully developed and implemented, there are areas of concern that remain, and I'd like to highlight three of the most important.

First, if the NAIS eventually becomes mandatory, the marketing sector is aware that its facilities can be put at a severe disadvantage with the requirements of the reader and reporting

the Animal ID. We know recording all movements would be much more easily monitored and enforced at the fixed facilities than at transactional activities in the countryside. Indeed, some in our industry anticipate the development of a black market that would reward producers for circumventing the system.

Second, the issue of cost is real and a major concern. Although producers are concerned with what the devices may cost, and rightly so, our members are concerned about what it would cost them to equip, maintain, and adequately staff their operations in order to comply with NAIS. In addition, if the USDA is unwilling or unable to provide funding for the necessary collection of animal movement data, we are concerned as to how it will be funded.

And finally, throughout every stage of the development of USAIP, we think the structure to be developed should reflect the belief that a National Animal ID System should be a cooperative effort by industry and government. As we move forward, we've learned valuable lessons and we strongly implore USDA to also consider valuable lessons that have been learned, specifically, that in order to truly gain producer acceptance of the system while maintaining the overall credibility of the system, it should not be strictly a government program, nor should it be an industry program, but rather a system administered by a separate entity that would be funded by both industry and government and accountable to both industry and government and recognizes a non-partisan, proactive, and highly efficient structure in which a National Animal ID System could be carried out for all the stakeholders' best interests.

We know there are concerns within USDA as to how such a structure can legally exist. For the future, and with such important matters at stake, creativity and plowing new ground is certainly in order. Thank you.

MR. WERGE: Thank you very much. And finally, Don Knowles.

MR. KNOWLES: Good afternoon, everyone. My name is Don Knowles and I'm from Boulder. I'm undoubtedly here for a different reason than everybody else who's going to speak today. I am here to advocate development of an animal identification system that includes the purpose of preventing foodborne illness in people. I represent an organization called STOP, Safe Tables Our Priority, which was formed in the aftermath of an E. coli O157:H7 outbreak in the Pacific Northwest which was associated with hamburgers at Jack In The Box. STOP has become a key player in facilitating the first meat and poultry reforms, inspection reforms, in over nine years, microbial testing for animal fecal contamination.

I'm also here to represent consumers and victims of foodborne illness. My son, Tyler, who is now 18, was such a victim. Eleven years ago this month, Tyler's young, healthy body was attacked by a vicious pathogen contained in a ground beef patty. E. coli bacterial illness soon evolved, and hemolytic uremic syndrome, resulting in a months-long stay in the Denver Children's Hospital. Tyler's kidneys stopped working completely, necessitating several blood transfusions and numerous kidney dialysis treatments.

Fortunately, Tyler survived. Others in similar conditions have not been so fortunate. Our family lived through a horror I hope none of you ever have to experience that dramatically changed our lives.

Foodborne illness is a serious health problem in our country. 76 million cases of foodborne illness occur in the country every year, hospitalizing over 300,000 and causing over 5,000 deaths. To put that in perspective, that's more deaths every year than the terrorist attacks on 9/11. Literally millions annually suffer long-term sequella as a result.

I feel that an animal identification system should be implemented, but not only for the goal of preventing illness in animals, which is well and good, but also the ability to trace animals that arrive at slaughter with high levels of human pathogens. A 2003 report of the National Academy of Sciences concluded that the level of contamination on and in meat coming to slaughter can be directly tied to the levels of contamination in the finished products. The committee urged the government to monitor contamination of incoming animals and take steps to mitigate the problem.

The committee also noted that other countries had achieved dramatic declines in pathogens by using microbial monitoring to drive farm-based control efforts.

Such a system should be mandatory and uniform and administered by the federal government. I urge you to develop an identification system that includes traceback to the farm of animals that come to slaughter with high levels of human pathogens. To implement anything else would be a shameful loss of a unique opportunity to exponentially reduce foodborne illness and a kick in the teeth to the thousands of victims of E. coli, salmonella, campylobacter and other devastating foodborne diseases who are forced to watch as the government pours millions of dollars building a bridge that only reaches halfway across the chasm of foodborne diseases. Thank you very much for allowing me to express my views.

MR. WERGE: Thank you, Don, and thanks to all those who have spoken so far. Thanks also for keeping it under three minutes. I know there are a number of issues that you want to bring up. I appreciate your being concise. We have a total of about twenty people who have signed up, so the next five at this point are Greg Marrs, Misti Pilster, Stephen Quackenbush, Rebecca Cooper, and Teri Baird. Also, as you're speaking, please make sure you

get close to the microphone. The further away you are, the fewer of us are able to hear you. So, Greg, you can start off.

MR. MARRS: Thank you. Good afternoon. My name is Greg Marrs, and I'm a partner in a Colorado dairy operation of more than 2,500 cows. I also serve as president of the Colorado Dairy Herd Improvement Association and represent that organization as a board member for the National Dairy Herd Improvement Association. On behalf of myself and those I represent, thank you for this opportunity to share a couple of thoughts about the operation of a National Identification System.

First, let me indicate my belief in the need of the system that can help protect the productivity and viability of the U.S. food and animal industry. Health officials need the ability to conduct a traceback on individual animals in order to minimize the impact of animal health situations in our industry. Such a system must be implemented with a minimum of impact on day-to-day commerce and needs to have significant producer input in its development and operation. The proposed National Animal Identification System has the ability to meet these requirements and become a tool that the dairy industry needs.

As a dairy producer, I feel it's extremely important to recognize that we have a long-standing voluntary data collection system which, with minor modifications, will be able to electronically collect and report all the data requirements outlined in the proposed NAIS. That system is the Dairy Herd Improvement Program, DHI, which has been in place for nearly 100 years and currently records information from about half of the nation's dairy herd. It uses individual animal ID and herd identification as the foundation for the management records that it provides the dairy producers. It routinely delivers appropriate data electronically to user-

approved databases, such as the Animal Improvement Programs Laboratory at USDA for genetic evaluations and has earned a high degree of trust in its ability to ensure producers' confidentiality.

I would strongly encourage you to make full use of the DHI infrastructure and experience in data collection and distribution. DHI, which has an extensive nationwide field staff and is producer governed, can easily handle the task of gathering premise and individual animal ID events for all dairy animals. An NAIS and DHI partnership would go a long way towards minimizing the financial impact and maximizing participation of the nation's dairy producers.

In conclusion, I support your efforts today and encourage you to begin implementation of a National Animal Identification System as soon as practical. Animal agriculture represents a significant investment in the economic foundations of our country and it needs a tool like NAIS to help safeguard it. As you move forward, to continue to encourage producer participation in the implementation of elements of NAIS, I also recommend that it would be important to include existing infrastructure, like DHI, as we move forward with implementation of NAIS.

I believe these suggestions will enhance participation while minimizing the impact on the dairy industry. Thank you for this opportunity to speak.

MR. WERGE: Thank you. Misti.

MS. PILSTER: Good afternoon. Under Secretary Hawks, it's good to see you again. Dr. Ragan and USDA staff, thank you for traveling to Colorado today. My name is Misti Pilser and I am the communications director for the Red Angus Association of America in Denton, Texas.

It is the policy of the Red Angus Association of America to support the implementation

of an ISO-compliant National Identification System for the purpose of visually and/or electronically identifying cattle to determine the point of origin. The Red Angus Association worked toward the development of a system that recognizes the programs the Red Angus Association currently has in place in identifying its members and customers' cattle.

In 1995, the Red Angus Feeder Calf Certification Program was established as the first USDA process verified feeder calf program in the industry. Cattle are genotypically linked to inter-Angus product lines. This is done by source verification of the cattle in the ranch of origin. In the last nine years, over 5 million head of cattle have been certified and tagged with special red Angus ear tags utilizing an individual serial number system. The serial number is used to follow the animal through the feed lot into the packing plant.

The Red Angus Association believes that animal identification is necessary. While remaining technology neutral, the program should give producers and managers the flexibility to use current programs that are already in place, such as the Feeder Calf Certification Program. Thank you for the opportunity to provide comments today, and we look forward to working with you as the national program is developed.

MR. WERGE: Thank you, Misti. Stephen.

MR. QUACKENBUSH: Hello. My name is Steve Quackenbush, and I want to thank Mr. Hawks and Dr. Ragan for conducting these hearings. I'm here representing my family and some other small, non-commercial farms in the area of llamas and alpacas. We recognize that alpacas and llamas are a minor species and are probably a blip on your radar. From what we understand of animal identification, it can have a significant impact to our industry.

I'd like to state for the record, as you all know, that llamas and alpacas are not a food

animal and they're not in the food chain. I'd like to offer a couple of comments and changes. First of all, I'm glad that your team recognizes the difference and the purposes of a different species, and I assume most folks here and from whom you've heard represent commercial operations who are dealing with livestock as a commodity and their business is their livelihood. We respect that and understand that, and if the system works as advertised it will be a great benefit to the industry and the nation.

In the case of llamas and alpacas, each animal is already registered through a centralized registry, and the owners are encouraged to register their animals and in many cases are encouraged to have them microchipped. So one of the questions I have is, have any studies been made concerning the various identification methods and the viability in each species?

Secondly, most commonly llamas and alpacas are raised by individuals and they treat them as pets. The owners work closely with their animals. They know their animals individually, and ear tagging, in our opinion, would be unsightly and unnecessary. I believe there are better alternatives for identifying llamas and alpacas which are in practice today. Instead of ear tag identification, we'd like to use what we already have in place.

Another question I have is, what consideration is going to be made for various types of identification methods based on the type of species, especially minor species that are not in the food chain and are primarily pleasure animals?

And third, llamas and alpacas have been shown to be particularly resilient to many common domestic ailments. In many cases, cats and dogs carry more communicable diseases than llamas and alpacas do. So, another question I have for you is, do we need to track every domestic animal and livestock animal including whether it's a dog or a llama if it happens to

cross with other species?

And finally, I have one question about other exotic animals such as ostriches and yak. After all, they are directly in the food chain. They're not so exotic; they're being raised as a commercial commodity for food. We get ostrich steaks down at the local restaurant near where we live, and I have less concerns about the source and the quality of that product than I do when I buy a beef steak at the local grocery store butcher shop.

And finally, in Colorado llamas are considered a domestic animal and not a livestock animal. In the Colorado state parks, where dogs are allowed, llamas are also allowed even when horses and animals are not.

So, in closing, I want to thank you all for conducting these sessions, and we hope you'll consider the questions and comments that I've provided here.

MR. WERGE: Thank you, Stephen. Rebecca Cooper.

MS. COOPER: Thank you for being here today to listen to our comments. I'm here representing the Colorado Aquaculture Association. My name is Rebecca Cooper. My husband, Ken Cline, and I operate Cline Trout Farms in Colorado and in Mitchell, Nebraska. Animal aquaculture in Colorado and surrounding states, Utah and Wyoming, New Mexico, and Nebraska, most of the aquatic animals grown are trout, and most of these are used for recreational fishing. The distribution of these animals makes it difficult for individual identification systems to apply.

We have several questions that need to be answered if this continues in the direction as proposed. Is the animal ID system suitable for tracking all aquatic species, such as catfish, trout, striped bass, crawfish, and others? Are fish used in recreational fishing to be included as well as

those fish sold for human consumption? Is there a real threat from aquatic animals? Can this be done within the current systems of inspections by state ag agents, wildlife agencies? Will there be an unnecessary overlap?

Thank you for considering these comments.

MR. WERGE: Teri.

MS. BAIRD: Under Secretary Hawks and Dr. Ragan, my name is Teri Nelson Baird and I am a member of the camelid working group. I am also a member of the board of directors for the Rocky Mountain Llama and Alpaca Association and today I'll be speaking on behalf of that membership as well as asking a few questions from the working group.

Welcome to Colorado. This is llama country, if you haven't noticed. Here in the Rocky Mountain region and throughout the state we spend a lot of time outside with our animals, backpacking, hiking, working as 4-H animals. Our members have become very accustomed to hooking up their trailer, haltering up their llamas, and heading to the mountains for the day. If the NAIS becomes mandatory for camelids, everything will necessarily change for our members. No longer could they go somewhere without prior planning. Has the animal been identified? Have I reported the movement properly? I fear that we risk limiting activity or driving it underground.

As a member of the working group, I do have to keep these people in mind when recommending that our industry can comply with the plan. I have a few more questions than answers at this point. In the beginning you said that animals which never leave home do not require ID. However, we occasionally have medical emergencies requiring transport of an animal to the CSU Veterinary Hospital. Would we now be required to identify the animal prior

to taking them on the emergency run, or would we be able to use our personal records to suffice for the visit?

Secondly, we do have a fairly robust recordkeeping system in the recordkeeping of organized activities and shows. And when you take an animal off the ranch for breeding purposes, both the owner and the breeder know the exact date that the animal arrived at the ranch and how long it was there. Some breeders even require a health certificate before allowing a foreign female onto the property. Wouldn't it be a burden on the producer to have to pay to report as small a movement as that?

All the feedback that we've received from the industry shows that most people are comfortable with a non-visual form of ID, such as microchip. We do have the occasional person who would like to experiment with ear tags. My understanding is that once an animal has been so identified it would be a violation of federal law to remove that particular ID device. And are multiple forms of identification in the same species contemplated under this plan, or do we need to make a commitment to one form or another?

We've been using microchips to identify our animals since the mid-1980's. We understand that these microchips could be grandfathered in for the life of that animal, and we've heard some speculation that that may not be the case. Could you let us know which one is correct?

And, finally, the money. At \$35 an animal it's a lot more expensive to microchip a llama than it is to put an ear tag into a cow. It has to last a lot longer, requires precision, and is generally more expensive technology. If this plan becomes mandatory and some funding for device purchase is not provided, it will be a very expensive proposition for some of our

members. It would seem appropriate to consider federal funding for us or allow us to comply voluntarily as individual economic circumstances allow. Thank you for your time this afternoon.

MR. WERGE: Thank you, and thanks to all of those who spoke. I'll ask for the next five folks. Stan Ebel, Rick Stott, Larry Croissant, Phillip Ellis, and Kenneth Macy.

MR. EBEL: Thank you. My name is Stan Ebel. I'm a member of the llama industry. I'm kind of at the other end of it. I'm pretty much commercial. I run an operation that has 200 head of breed females. I run a packing operation, wilderness packing, not food packing, which employs 150 geldings and some studs that we use on a regular basis.

The packing operation is the one that I want to focus on as far as the impacts to this particular program. We obviously use pack animals to generate income. It's dependent on travel from point A to point B, usually carrying 80 to 100 pounds. The problem with the--that I've seen is that in our operation we have about roughly 75 trained pack animals. All of them virtually are involved in constant movement in and out of the back country.

Half of the operation would employ animals in short-term leases in which we lease animals to private individuals. They will leave the property and go wherever they decided, as far as the packing enterprise. The animals that are employed in the private lease, the number of leases that they would go out on in a given season would probably be either side of 20.

The animals that are employed in seasonal packing, where they go out for the entire season, are assigned to another person or agency. We lease to the U.S. Forest Service, Farm Service, Fish and Wildlife, photographers, surveyors, commercial packers that are doing outfitting and guiding in their own areas, and they're a point of dissemination also.

So, my question is, how are you gonna track all of that? Or, it looks like it's gonna fall on

me to track that. And my concern right now is, I'm a one-man operation as far as this goes, and it looks like I'm gonna have to bring in another person and turn it into a two-man operation. We don't increase income because of this; we use the same income. We increase overhead of labor and recording.

Therefore, it looks to me like I'm going to be hiring another person the next year that this is mandated, and the next year we'll have two bus drivers and be minus one llama packing operation just because of the overhead.

As the other members of the llama industry have indicated, llamas are peripheral to the commercial animal industry that is primarily involved in food production, and my question is, is it really necessary to track all of these where the most likely encounter with animals of that--that group would be visual as opposed to physical, seeing a cow on a trail or a horse, whatever.

So, you know, I know that you graciously included us in this process, and I would ask you just as graciously that you include me out. Thank you.

MR. WERGE: Thank you, Stan. Larry.

MR. CROISSANT: My name is Larry Croissant. I operate a small seed stock operation with some commercial cows and a small feed lot. I'd just like to encourage the committee that's doing this to consider getting some value out of the cost of identification. There is also some powerful production tools to be gained. We currently are involved in a branding program with Red Angus Certified calves, and one of the benefits of the program is harvest identification.

We'd encourage you to incorporate encompassing the branding programs, whichever ones they may be, for source verification into your national EID program for traceback, the branding

programs that use that database and those tags for their purposes.

I don't know what the mechanics are of doing that, whether currently we supply the--the Red Angus Association supplies the tags. Thank you for allowing my comments.

MR. WERGE: Thank you.

MR. STOTT: My name is Rick Stott. I am the chairman of the Northwest Pilot Program. The Northwest Pilot Program is a coalition of six states, California, Washington, Nevada, Idaho, and Utah. The cattle and dairy associations within those states have come together to put together a cooperative agreement to help refine some of the issues that are at hand in this Animal ID program.

I can assure you we somewhat appreciate the funding that you've extended to us. It's good news and bad news. The good news is that you provided some funding; the bad news is you've provided some funding. Now we have to do something with it to be productive, and we will do that. Our plan is to have approximately 27,000 head of cattle involved in the plan. Each day we get additional volunteers to participate in the plan above the 27,000, so we are optimistic, cautiously optimistic, about our success.

There are challenges involved in this, as you well know, one of which is communication. The ability to be able to communicate directly with USDA and those bodies that are making decisions regarding this is critical and important. We have been funded through the State of Idaho, but I hope the communication plan that you designed will allow for direct communication with USDA in addition to the states in our region. Communication is going to be a critical issue and the speed of that communication will be of utmost importance to be productive.

The second issue is the definition of premise. Under Secretary Hawks, you participated

in a conference last week with the directors. After, unfortunately, you were unable to stay because of your travel schedule, but we had an extensive discussion related to the issues related to premise identification and the definition of premise in the western United States. It was very enlightening from my perspective on what they felt were the issues at hand, concern at not having a regional definition of premise.

The question, I guess, is a question of how flexible we will be in defining what the premise is. As we have cattlemen who move cattle between states by basically opening up a gate and letting them wander down into Nevada or Oregon or Washington. Will they have to register those calves as they go through that gate? It's unlikely that they're gonna have a cowboy sitting on a horse watching those animals' ears.

So, having cross-state issues addressed by our pilot program and being able to hopefully define premises in a flexible and manageable functional way is going to be very critical to this process. And that's our goal in the first year is to really have all the states work on that on a regional basis. Thank you for your time and good luck.

MR. WERGE: Thank you. Phillip.

MR. ELLIS: Thank you. I'm Phillip Ellis. I'm a cow-calf rancher. I'm president of the Wyoming Stock Growers' Association. We're not opposed to identifying cattle. We've been using the brand system in our state for over 130 years. However, at this point, we do not endorse a mandatory ID system beyond our brand laws and regulations, and this point was made rather clear at our recent summer convention.

Nevertheless, at this convention we were instructed to--leadership was instructed by our members to appoint an ID subcommittee working group, which we have done, and we hope to

work with the Wyoming Department of Agriculture, the Wyoming Livestock Board's brand division, and the USDA to provide input on state and federal ID programs.

Any system needs to be reasonable both in its cost, which includes hard dollars, and also time involving working cattle, and stress that might involve cost and weight on cattle. It needs to be practical, both at the ranch, in the time factor, and in the marketing channels and chains.

We're quite concerned how that can work out.

And also we're very concerned that it needs to be private, respecting the cattle owners' private property rights and the liability issues that could result from that.

So our subcommittee will be evaluating current proposals, and, Under Secretary Hawks, we look forward to the opportunity to be involved. Thank you.

MR. WERGE: Thank you very much. Kenneth Macy.

MR. MACY: My name is Kenneth Macy. I'm a natural cattle beef producer, a sheep producer, a feed lot owner. So as we touch on this you will see some of the diversity.

One of the first issues is the cost to individual producers. It needs to be kept as low as possible. And the cost of tags. Then a marking system comes in. This needs to be paid for by the public because it's really their desire to have this widespread safety system.

Touching on the issue of the birth dates, I don't think you can put that on the tags. Quite frankly, for my operation, birth date is virtually impossible, because we are a three-season calving operation, spread out. We supply for small packers. And it's not feasible to do the birth dates. It's just not even possible.

Moving along into the data that's shared on the interface, I have concerns about the amount of data that's going to be interface shared. It's in everybody's best interest to achieve

confidentiality quickly and contain it. Thank you very much.

MR. WERGE: Thank you. We have one more group of five, and then we have three more folks who want to give some comment. Reed Balls, John Bartmann, Jim Magnuson, Terry Fankheusen, and Pete Claymont. And excuse my pronunciations where I falter. Okay. Reed.

MR. BALLS: My name is Reed Balls. I'm on the staff of the Utah Farm Bureau. I appreciate the opportunity to be here and give some comments. Much of what we have prepared to say has already been said, so I will just briefly reiterate.

We support the effort to develop a National Animal Identification Program. We are concerned about four specific areas. One is the cost of implementation. We hope that the pace and the urgency of implementing the program won't proceed faster than our ability to pay for it and the necessary producer education to be supportive of this program.

We are concerned about the confidentiality of producers, as has been mentioned several times. And while we recognize the need for a central database, we urge that that be kept just by the USDA and not released under the Freedom of Information Act to the public.

We're concerned about producer liability, that once the animal leaves the producer's care that liability for things that happen to the animal beyond the ranch or farm cannot be traced--or the meat product, beyond processing, cannot be traced entirely back to the rancher. There should be a rebuttable presumption that this meat was safe when it left the ranch.

And finally, I comment on the need that we see for the pilot programs or implementation that we talked about, that they recognize that on the western ranges many of the offspring that are born, are born when the animals are out on the range. They may be in association with

several operators. And so in cases like that the owner of the animal sometimes doesn't even see or identify that animal until nearly market time. We're concerned that that be piloted. Thank you very much.

MR. BARTMANN: I'm John Bartmann. I'm a sheep producer over near Alamosa. I'm also president of the Colorado Wool Growers Association.

The Colorado Wool Growers supports USDA's efforts to control and eradicate animal diseases, and currently we're the chief industries involved in the national scrapie eradication program, which we support, although we have encountered some problems and glitches in the system. Number one, the program, the biggest system out there, the current tags that we use have a problem with retention. A lot of uncertainty and misunderstanding as to who is supposed to keep the data when these animals change premises or these animals change hands.

One of our limiting factors in the sheep industry, especially in the western United States, is a lot of our labor that we use speaks Spanish and doesn't speak English, and trying to implement--and design a system that's easy to implement. And we need a system that's effective in terms of collecting the data. And another important thing is the USDA is gonna have to carry the burden of the cost of collecting this data. That's all I have. Thank you.

MR. MAGAGNN: Jim Magagnn with the Wyoming Stock Growers Association. Under Secretary Hawks, Dr. Ragan, we appreciate your many trips out to the west on these issues that we deal with, although I wish Dr. Ragan kept reminding me that only some three years ago we were brucellosis crazed.

I would be less than truthful if I didn't tell you that there's fear and doubt in the countryside. I think that is, to some degree, inevitable, given your approach, which I commend,

of evolving this program through a certain amount of trial and error of implementation projects.

At the same time, I would encourage you, since I believe our mutual goal would be to foster as much--as high a level as possible of voluntary participation before we reach that, I believe, inevitable point of mandatory participation, that you provide as much certainty as possible as soon as possible. Particularly I would say that in the area of confidentiality, of assuring us that this data will be used only for animal disease traceback purposes, and of letting our producers know what cost they are going to have to bear, what level of cost sharing they might be able to look forward to from the governmental entities, both at the federal and the state level. Those are areas that we need certainty if we're going to foster participation on a voluntary basis.

I know you may be hesitant to do this, but I think it would also be useful to our people if we were able to begin to identify a date certain for the program to become mandatory so that we don't suddenly face that day and find only a small percentage of our people have geared up and are participating in the program and we reach a panic situation. So we would encourage that as well.

Many of the key points that are important to us have already been addressed today. I won't repeat those.

I would raise one question in closing. The 840 number that identifies this as a U.S.-issued identification, while I recognize that this program is entirely separate from a possible country of origin labeling program, I would encourage that consideration be given to whether the use of an identification system with the 840 number could perhaps be limited to animals that were born in the United State. And that may provide various benefits as we move forward with

animal identification and possibly country of origin identification in the future. And again, thank you for your willingness to listen to the industry on this important issue.

MR. WERGE: Thank you, Jim. Terry.

MR. FANKHEUSER: My name is Terry Fankheuser with the Colorado Cattlemen's Association. Once again, thank you for coming to Colorado. We are a trade organization that represents the beef industry in the state. It's a 4-plus billion dollar industry, industry that could be significantly impacted by this program. I would state, though, that as we compile a working group to address this issue and hopefully move forward with a significant communication and educational experience for our producers, we were greeted, actually, with a fairly positive response with certain cattlemen.

I think producers do see value in a program like this. They do recognize that there is a need, because we do operate in a globalized marketplace.

Many of the points that were brought forward here today I certainly want to reiterate. We do have an issue with the expense and the economics of a program like this. Our organization, in the policies that we have adopted, do believe that infrastructure certainly should be funded. While the tag may seem imperative to be paid for, it's gonna be a minor part of the ongoing maintenance and implementation that occurs in a program like this.

Data management is obviously one of those caveats that come into place for a number of reasons. FOIA has been mentioned here a great deal today. My understanding of how FOIA works, it's applicable to the agency that that request is provided to. Obviously, when you talk about inter-governmental sharing of information, FOIA might not be applicable. My understanding is when this information is transferred to say, EPA, IRS, affects along those lines.

So we believe that certainly regardless of what laws are passed, they need to be broad in their approach.

One thing we realize might be of value is to look toward more private industry management of that data. We believe that a more articulate and acute approach to data protection and management will be provided there, as well as some competitiveness in the marketplace might be implemented.

Another thing that our working group did provide was that we certainly must allow for performance of management data to be married to this program.

Liability was mentioned earlier. Producer liability is extremely important to us. If you look at the data and the research that's been put in place, if you look at foodborne illnesses you'll find a significant amount of those illnesses that do take place are the responsibility beyond even the processing of the product, either the handling and preparation or storage, which falls mainly back onto the consumer level. Certainly producers and processors for the processing of their product should be liable for those. We do have programs in place to manage this.

In closing, we just appreciate your attendance here, and I'll leave more extensive written comments.

MR. WERGE: Thank you very much. We just have three more speakers. Luke Lind, Taylor Haynes, and Dave Carter. And Taylor if you want to begin.

MR. HAYNES: My name is Taylor Haynes, H-a-y-n-e-s. I'm sorry about the writing. I'm a cow-calf-ewe operator in southeastern Wyoming. I'm also vice-president of the Wyoming Stock Growers and I want to thank you and also the many volunteers that have brought this project to this point, as I'm sure a lot of planning has gone into it.

And I encourage you to try and get this to be a voluntary program. And the way to get voluntary participation is to have a program that's simple, understandable, and affordable. I think we have to, as the USDA, make every effort to maintain technology neutral. There are a lot of technologies available that work very well for individual organizations and works for their purpose.

Maintaining confidential and proprietary information can be managed in the private sector. Again, I thank you for your time and efforts. That concludes my comments.

MR. WERGE: Thank you.

MR. LIND: Thank you. My name is Luke Lind. I'm a member of the Colorado Livestock Association, and I'm here on their behalf. CLA supports a effective mandatory animal identification program that is developed by industry partners who agree on an acceptable plan and who can do it in the most cost-effective manner. That's all I have.

MR. WERGE: You get the prize for brevity. And Dave, final comment.

MR. CARTER: I guess I'm the clean-up batter here today. Under Secretary Hawks, distinguished guests, I'm Dave Carter. I'm the executive director of the National Bison Association. I'm representing 1300 member growers ranging all the way from Alaska and Hawaii to Long Island, New York, and producers--a few producers have several thousand head and a lot of folks that have less than 100 head. So it's a very diversified industry.

First of all, I want to commend the USDA and APHIS for their approach in developing this system. We certainly appreciate their willingness to accept the bison industry working group and particularly commend Neil Hammerschmidt for his work with our group.

We recognize the goal of establishing a national ID program to increase the security and

safety of the American food supply. We also know that the task is massive. Our industry, though, has been working on this issue for nearly three years now. In fact, in November of 2001 a group of producers meeting in Rapid City, South Dakota, began developing the protocols for a process verifying program that now has been approved by USDA and is allowing our participants to move forward in the marketplace products that are verified traceable to the ranches of origin and that are raised without being administered antibodies and growth hormones.

In establishing this program, we spent more than a year developing the approved quality manual that has the protocols and procedures for protecting animals and reporting moves and transfers and maintaining the animal and product identity.

And also, in keeping with all of the aspects of traceability from ranch to rail, rail to retail, the National Bison Association has also coordinated with USDA/APHIS to establish a working group. The working group recommends that our National Bison Association/USDA source verified marketing program be utilized as the baseline for implementing an animal ID program for our species. We are already implementing the procedures for complete traceability, and, in fact, our procedures and protocols meet all six of the data points that were mentioned earlier in the presentation today. We recommend the use of RFID tag ID, the unique 15-digit, ISO-compliant number, and information from that tag would be recorded in a database compatible with the requirements of the USDA.

The working group also agreed unanimously that producers must not bear the cost of implementing the national ID program. Our process verified program is a user-based, user-fee program, and we understand that the cost of these tags, particularly the tamper-proof button tag

and the accompanying animal tag, is about \$15 a set. Plus you've got about \$1,000 for the reader and the data collection system. And our producers are paying that because there are additional monies that they're getting that go into an added value program because we can market the attributes of no hormones, no antibiotics, et cetera. But the US Animal ID Program is based around providing a secure food system for everybody in the country, and therefore we feel that everybody ought to participate in that cost.

One last thing, we would also encourage that there be a separate identifier for bison, BIS, as opposed to BOV, for our species. Thank you.

MR. WERGE: Thank you. That was the last commentator.

(Mr. Hawks, Ms. Bryson and Dr. Ragan made additional comments that were not transcribed.

The meeting adjourned at 3:30 p.m.)