

**Issue:**

Attempts have been made the past three legislative sessions to prohibit or restrict South Dakotans from participating in the National Animal Identification System (NAIS). Farm Bureau has resisted these efforts for three reasons.

- 1) Our policy supports voluntary participation, and the language of some of the proposals would have outlawed even voluntary participation.
- 2) The proposed legislation would have weakened the state's animal health laws.
- 3) This is a federal issue, better handled in Washington, D.C., than in Pierre.

**Background:**

State law gives the Animal Industry Board rule-making authority with reference to animal identification. The Animal Industry Board is a seven-member board appointed by the governor, consisting of a cattle producer, sheep producer, hog producer, dairy producer, livestock feeder, auction market owner-operator, and a practicing veterinarian.

State law gives the AIB the latitude to "develop and implement specific programs for the identification of animals and premises involved in animal movements." The law places two restrictions on this grant of authority:

- 1) Any program must provide for confidentiality of identification records.
- 2) Any program implemented shall be for the "sole purpose of maintaining animal health and ensuring the safety of the food supply."

SDFB has resisted efforts which would weaken the ability of the Animal Industry Board to respond to animal disease or food safety issues. Producers and consumers in our state have long benefitted from efforts to control animal disease such as brucellosis, pseudorabies, and TB. We will not support legislation which will interfere with efforts to effectively and efficiently control disease outbreaks.

We have also opposed efforts which would preclude South Dakota producers from participating voluntarily in identification programs.

**SD Farm Bureau Policy:**

We support NAIS sign-up remaining voluntary on the state level.

**AFBF Policy:**

National Animal Identification Systems (NAIS) should be considered a separate and distinct issue from country-of-origin labeling. We favor the continued use of legally recognized traditional methods of permanent identification of livestock for individual ownership.

Any new method of livestock identification should only be considered if it is proven equally practical and effective as current methods and is a legally recognized form of proof of ownership in all states having livestock brand law. We urge the USDA to conduct a full cost analysis study of the NAIS program and to publish the details. No action should be mandatory until Congress has published the cost figures and appropriated funding.

We support the establishment and implementation of a voluntary national animal identification system capable of providing support for animal disease control and eradication. Only non-profit agricultural or meat/livestock organizations should have control of the animal ID program, not a private "for profit" company. We support the opportunity for each state to decide the entity controlling their respective animal ID program database. However, in the event of a disease outbreak, the controlling entities must be equipped to communicate and utilize the system to track and trace animals in a timely manner.

A cost effective national system of livestock identification, with adequate cost share among government, industry and producers, should be established and regulated by an advisory board of producers, processors and USDA. Any such program must protect producers from liability for acts of others after livestock leaves the producers' hands, including nuisance suits naming everyone who handled particular livestock.

We support the following guidelines for a livestock identification program:

(1) The program must be as simple and inexpensive as possible for producers to implement;

(2) Cost share support from the federal government is vital especially for development and implementation;

(3) Producer information shall be confidential and exempt from disclosure under the Freedom of Information Act (FOIA);

(4) Information shall be made available only to the proper animal health authorities in the event of an animal disease incident. Any unauthorized use shall constitute a felony;

(5) The identification of animals will not be required until movement from the original registered premise;

(6) All imported animals should be permanently identified regarding their country of origin upon entry into the United States;

(7) Ensuring the security of producer information and respect the privacy of producers by only collecting data necessary to establish a trace-back system; and

(8) All current animal disease programs should be incorporated into NAIS. Producers should need only one number for all programs; however, due to the voluntary nature of NAIS, an opt-out method should be available to producers at their request.

We support the development of uniform standards for electronic identification.

We support the development and adoption of livestock identification technology which will enhance the implementation of value-based marketing.

### **Questions:**

1. Is it appropriate for the AIB to have the ability to develop and implement an identification system for animal health and food safety purposes?
2. Should South Dakota state law restrict the state from participating in the NAIS?
3. Does SDFB need its own NAIS policy, or does the American Farm Bureau policy adequately represent our interests?