

Memo

To: Dr. John Clifford, Deputy Administrator, USDA/APHIS Veterinary Services; Mr. Neil Hammerschmidt, National Animal ID Coordinator, USDA/APHIS Veterinary Services

From: Nancy Robinson, Cattle ID Group Coordinator

CC: Cattle ID Group

Date: October 6, 2010

Re: Cattle ID Group Concerns Respective to Latest Draft of the Animal Disease Traceability Framework Preliminary Content of the Proposed Rule

The cattle industry organizations and individuals involved in the Cattle ID Group (CIDG) appreciate APHIS' continued efforts to reach out to the cattle industry, through the CIDG, seeking our views, recommendations and concerns in the development of a proposed rule implementing USDA's Animal Disease Traceability (ADT) Framework. The CIDG's goal, throughout this process, has been to work with USDA and state animal health officials to reach a consensus on an ADT framework that is realistic in its goals, workable to the greatest extent possible, cost-effective at all levels of the program and can be successfully implemented by all concerned.

The CIDG met, via teleconference, on September 29 to discuss the Traceability Regulation Working Group's (TRWG) latest rendition of the proposed ADT rule's content. We also discussed unresolved issues from the Joint NIAA/USAHA ADT Forum held in Denver August 30-31. Our discussion resulted in a number of issues and questions that we believe need further review and resolution by the TRWG before a proposed rule is written and published implementing the ADT Framework. Those issues are:

- The latest TRWG document indicates that, "The official identification number would be required on the ICVI [interstate certificate of veterinary inspection], unless: ...The cattle or bison are (1) sexually intact and under 18 months of age or (2) steers or spayed heifers..."

We were led to believe at the Denver ADT Forum that each individual identification number would not be required on the ICVI. If this requirement were to stand, it would be a very serious choke point in the speed of commerce for the cattle industry. Requiring veterinarians to record every ID number on the ICVI would be extremely burdensome, time consuming and likely fraught with errors in transcribing the tag numbers to the ICVI. We question why such a requirement is even necessary in a bookend approach where recording animal movements is not an issue. If the purpose of this requirement is to assure the identification of the animals, perhaps a visual inspection of the animals for the absence of an ID would suffice.

Given the significant impact of this ICVI requirement, particularly as other classes of cattle enter the program, we ask that TRWG further discuss this issue and seek additional input from the CIDG and others before making a final decision in this matter.

- The CIDG remains greatly concerned that too little attention has been given to the collection of official identification at slaughter. Comments at the Denver Forum would indicate that this critical nexus in a bookend traceability system has received relatively little consideration from the packing industry, USDA's Food Safety Inspection Service or APHIS. As far as we can tell, there has been little discussion to date of such issues as the collection of brands at slaughter, which are not collected now; how the slaughter process will accommodate the recovery of many hundreds of thousand ID devices; the cost associated with the recovery of those IDs; etc.

To have so little discussion and so few answers to implementation of this critical control point in the ADT system is very concerning to the CIDG, as it should be to you. Thus we urge the TRWG and APHIS carefully consider our concerns in this regard and take immediate steps to initiate discussions with the affected industry and FSIS and let us know of your progress in addressing this issue.

- We understand that APHIS intends to later establish and publish a separate traceability performance standards document that would define the process for evaluating the progress of states and tribes in achieving traceability. When APHIS commences discussions on this aspect of the performance standards, we would appreciate the Agency engaging the CIDG and/or our individual organizations in the discussion of what would constitute conformance by the states with the ADT performance standards.

We are particularly concerned with the current thinking respective to Traceability Tier III in which states or tribes not meeting Tier I or II could be subject to additional interstate movement requirements. Depending on what those requirements are and the reasons for the state's non-compliance, such as lack of necessary funding, personnel, etc.; we foresee these additional requirements being a greater penalty on a state's livestock industry than on the state itself.

- The establishment of an electronic ICVI is critical to the implementation of the ADT program. The failure of any state to have the necessary electronic ICVI systems in place upon implementation of Step I of the program is unacceptable. Thus the CIDG would appreciate a periodic update on how APHIS and the states are or intend to achieve this important ADT implementation benchmark.
- It is stated on page seven of Appendix A of the ADT Framework document, Step II—Assessment that, "Additionally, studies and surveys will be conducted at critical infrastructure points, including markets of various sizes, to evaluate the implementation of the regulatory requirements of Step I..." Please provide us as much information as possible on what you consider to be the "critical infrastructure points", what other specific studies or surveys you would anticipate in evaluating the system, other than of course the examples given in the previous paragraph of percentage of animals officially identified and percentage of identifications collected at slaughter.
- We further note in the current draft of the TRWG document that only the state animal health official or an Area Veterinarian in Charge can authorize the replacement of an official identification. This is extremely restrictive and will likely encourage abuse of the system particularly if we are to avoid any slowing of commerce of animals requiring a replacement tag.

- Lastly, the CIDG is continuing to discuss the Step II assessment process and what we believe would be the most quantifiable, repeatable, measurable program performance indicators for assessing the progress and successful implementation of Step I, prior to moving to Step III of the ADT program. The importance of this issue to the cattle industry and ultimately to the successful implementation of the ADT program cannot be understated. Thus, while we will make every effort to complete our work on this issue with all due diligence and speed, it is more important for us all as well as the ultimate viability and success of the ADT program that we get it right, than to get it done based on some arbitrary timeline.

We look forward to continuing our work with the APHIS leadership and indirectly the TRWG on this most important issue. Please contact us if we can be of further assistance in the coming weeks as development of the content of the proposed ADT rule continues.

List of Participating Organizations in the Cattle ID Group:

American Angus Association
American Farm Bureau Federation
Dairy Farmers of America
Livestock Marketing Association
National Cattlemen's Beef Association
National Livestock Producers Association
National Farmers Union
R-CALF USA
Red Angus Association of America
Southeastern Livestock Network, LLC
Texas Cattle Feeders Association
Texas and Southwestern Cattle Raisers Association
U.S. Cattlemen's Association