

FTS-USDA OFFICE OF COMMUNICATIONS

**Moderator: RJ Cabrera
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8:00 am CT**

Coordinator: Thank you for standing by. All lines will be on listen only throughout the duration of today's conference call. Today's call is being recorded, if anyone has any objections you may disconnect at this time.

And now I'll turn the call over to your first speaker for today, Miss Kim Ogle, ma'am you may begin.

Kim Ogle: Good morning everyone. Is that a good volume or do I need to speak closer? Closer, okay thank you. Is this a good volume?

Good morning everyone. Morning, it's like your teacher. Welcome back to your second face to face Secretary Advisory Committee on Animal Health.

We have a few pieces of business this morning we'll start off with. Couple pieces of housekeeping, I'll start off just by introducing myself but I facilitated the first meeting last year.

My name is Kim Ogle and I work for APHIS and I work in the organization called Policy and Program Development and I will be your facilitator for the next two days.

Let's do some housekeeping pieces. Restrooms are out the door past the elevator and to your left, the men's and the women's room both are housed in the same location on the floor.

I would ask everyone to please turn their cell phones off now please so we can be as productive as possible and not interrupt the recording.

As you may remember this is a public meeting and it is being recorded so when you speak today you have to speak directly into the microphone so that it is captured and recorded correctly.

Yes and if yours is off the button is located at the bottom of the mic, you just touch it and it will come on and you'll see a little green light, you'll know it's working.

We have them centered across the room so you may have to move them and share. Okay, let's see, what else. We're going to break for lunch both days for an hour and up and down F street are many places to have lunch. There is a food court at the end of the block on the right hand side that houses about 10 or 15 different places to eat once you go inside.

It's called the food hall. McCormick & Schmick is down on the corner as well right next door is a sandwich place called 7& Blakely so there's lots of choices for lunch right here on the main street.

What I want you to know is we have a writer with us today and she's going to produce the document for you hopefully as a result of your work today.

I'd like to introduce (Kay Jared, she's from Veterinary Services and she's not a note taker, she's actually a writer.

So what I would like for you to do today as you're having your discussions I would like for you to make (Kay) aware of anything you would like transcribed so please say (Kay), I want this in the document, this goes in.

So that she knows exactly what you want captured at the time, especially if it's very important to you. Now she's going to capture what she thinks is important but it would be most helpful to her if you say (Kay), that needs to go in there, okay?

All right. Let's see, now I'd like to introduce to you Michael David, he is representing the veterinary services, Deputy Administrator's office.

Michael is the COO for Veterinary Services and he has some opening remarks for you.

Michael Doerrer: Good morning everyone, my remarks are very brief. I just wanted to welcome you on behalf of the USDA. Our administrator, Dr. Greg Perham should be joining us later, he's running a little bit late but he is planning to come this morning to welcome you himself.

I also want to welcome you on behalf of our deputy administrator and chief veterinary officer Dr. John Clifford.

He's not able to join us today but he is planning to come by tomorrow to spend some time with you as the schedule allows.

So on behalf of both of them welcome. I'd also like to acknowledge all the work that has gone into planning this committee, I'd like to specifically recognize RJ Cabrera she has done an awful lot of work over the last many months trying to get this meeting together.

Been a major feat and a major accomplishment so I thank you RJ for all your work on the council, and to recognize the chair and vice chair for their extensive work planning this meeting and forming the agenda, figuring out exactly how the meeting is going to go to make it as productive as possible.

So a lot of work has gone on behind the scenes so I'd like to thank everyone involved in that. I look forward to spending the next few days with you, thank you.

Kim Ogle: Thank you Michael. Next I'd like to introduce the chairman of the committee, Dr. Donald Hoenig, he would like to have some opening remarks for you.

Don Hoenig: Is this on? That? Sounds good, okay well I'd like to welcome everyone also, it's good to see people again. The last time we met we were all I think just kind of getting to know each other for the first time but now we at least know each other's names.

And we've interacted a little bit so I really look forward to this meeting being very productive and I'd just like to encourage everyone on the committee to feel free to speak up if they have an issue that's of interest to them or to their stakeholder group.

And we're going to spend a fair amount of time today, the whole day actually we have devoted to traceability so I think we're going to by the end of the day have a product to go to the secretary in the form of recommendations.

So as we go forward with that I really would encourage people to speak their minds on the issue and let's get some work done on that.

I've spent about the last week and a half in Maine working on swine influenza and not really in swine we don't think but we had two small children who attended a fair in October diagnosed with an unusual strain of influenza.

And it's not a secret or anything because it's been reported to the World Health Organization H3N2 and it's only been diagnosed I think six or seven times this year in this country and only 25 times in humans since 2005.

The reason that I bring it up is that we had to talk to a lot of people who exhibited pigs at the fair and we went out and visited several of these farms to do some further investigation.

But in many cases when we didn't have to take too many swine samples in this but in these cases there wasn't a whole lot of ID involved in these animals, nor did there really need to be, particularly in an activity we have called a pig scramble which anybody who's been involved in agriculture probably knows what that is.

That's where a bunch of kids get a ring with a bunch of little pigs and try to put them in a bag. And it's entertaining but not sure whether it's all that productive.

But anyway, so the point is, is that with some of these issues particularly ones that are human health related issues it becomes very important for animal health officials like myself to be able to have good records on traceability on animals.

And it just comes up repeatedly time after time so I'm glad we're going to delve into this topic deeper today and I'd like to welcome everyone here once again and let's get to work.

Kim Ogle: Thank you Dr. Hoenig. Your mic is on. Well now I'd like to introduce you the APHIS administrator, Dr. Gregory Parham.

Gregory Parham: How's that for timing? Good morning and thank you to all of you, many faces I recognize and some that I do not but I hope to have the opportunity over the next several months and maybe even two or three years, you know as the - this committee conducts its deliberations to come to know each of you better.

I'd like to start by recognizing of course the tremendous amount of time and effort that each of you have devoted to this effort already and in anticipation of things to come because we think it's important with regard to USDA's animal health programs that we be able to have good advice, good council in terms of some of the things that we would like to do.

The work you're doing of course as you know is vastly important to USDA and to the animal and plant health inspection service, and I assure you that the secretary is acutely aware of the progress that you are making.

One of the secretary's highest priorities is to improve the way USDA conducts the business of regulation and APHIS being a regulatory agency by nature if

you will, if not by statute certainly that is one of the things that he's very keen about making sure that we're doing the things that we need to do.

The process, the regulatory process must of course be transparent. It must be inclusive and above all it needs to be effective. The secretary is extremely proud of the work that you are doing both individually as well as collectively because of the (indy) results.

And because all of you represent an important conduit between regulators and the people affected by animal health regulations. Let me just say a few more words about animal health, as you know with your valued assistance, APHIS published a proposed rule and I just heard Dr. Hoenig talking about animal disease traceability.

This was published on the 9th of August of this year. Recently based on your suggestions the comment period for the proposed rule on animal disease traceability was extended an additional 30 days, okay?

As the closing date of the original public comment period nears constructive comments continue to be received. I am sure that the 30 day extension will also prove to be a wise decision in terms of the quality and the quantity of comments that we will receive.

I hope you will continue to provide your significant insight as the process toward a final rule continues. I know you're working on a number of animal health issues outside of traceability as well.

Among those are the supply challenges associated with the foot and mouth disease vaccinations and the framework on tuberculosis and brucellosis.

These are important animal health concerns of which we will continue to seek your input. Let me say a few words about the budget. They have what is popularly known as a mini bus that's moving through Congress right now as opposed to an omnibus which would include all appropriations bills, the agriculture appropriation is part of the omnibus so we're hopeful that by the end of the week, early next week we will actually have our actual appropriations for fiscal year 2012.

Right now we are operating under a continuing resolution and if Congress is not successful in moving that mini bus forward then we will very likely go on an additional continued resolution for another 30 days or so.

So take us roughly through the end of the year. We do have some estimates though and plan for prioritizing the reductions that we expect, okay, for fiscal year 2010, we had in terms of our appropriated accounts roughly \$865 million which is a lot of money, don't get me wrong.

We were very fortunate to have that kind of money to distribute across all of our various programs within APHIS, okay?

But we know that at a minimum if we were to look at what the Senate proposed and what the house proposed that we know that at a minimum we are looking at a \$40 million reduction and it could go as high as \$80 million for the current fiscal year that we're in now.

So I mean when you have those kind of reductions you have to really reexamine what your priorities are, what is your core mission to make sure that you are doing those things that need to be done, that represent moving us forward in a way that allows us to stay within the limits of our budget.

The current forecast also calls for cuts in the out years for - so for fiscal year 2013, 2014, 2015 we anticipate that we'll see slightly declining, slightly to moderately declining budgets then as well.

And this is in contrast to the last decade in which every single year APHIS saw an increase in its budget from 2001 through 2010 to the point where the budget doubled from roughly \$450 million to \$900 million.

So 2001 it was roughly \$450 million, in the fiscal year 2010 it was roughly \$900 million and already this year we talked about fiscal year 2011 that we just concluded being at \$865, so again you know having peaked in 2010 and now beginning a decline that we know will continue for at least two more years at a minimum.

Okay again the super committee that is meeting as well, no one knows what they will be proposing so there is the possibility although again no one knows of additional cuts that may be required as a result of the work that that committee does.

We simply don't know at this time but what we do know is that our programs are going to continue and we're - we will have the wherewithal to do many of the things that we do today but we may certainly have to do them smarter and more effectively and with not as much money.

Our commitment though to meeting and overcoming the challenges coupled with our flexibility and capacity for innovation will serve us well as we operate in this current fiscal environment.

Obviously with budgets shrinking as they are our core mission areas and our responsibility have not shrunk, okay? APHIS must change the way we do business and we're about doing that.

And as Secretary Vilsack has indicated this change will be occurring not only in APHIS but throughout the department of agriculture, okay?

Rather than ignore the inevitability of these changes the secretary is committing to seeing that our upcoming budgetary challenge has an opportunity to build a stronger department that better serves the American people.

As part of that effort both the department and the agency will be refocusing and concentrating on our core mission areas as I stated before. We'll also be redesigning and streamlining many of our processes to find efficiencies.

We have a business process improvement initiative that is ongoing within the agency that is already showing some results in terms of shortening the timeframe for approvals of various things from permits to licenses to genetically modified organisms.

And we're also going to be evaluating our organization itself. While we don't know yet how these changes will - what they will look like, we do know there's a shared responsibility to ensure that change does not change us or manage us in the way that we believe it needs to.

In other words for the things that are core to our mission, you know animal and plant health, safeguarding, those kinds of things, we will keep those as our core and those will be unchanged.

We intend to move forward collaboratively, creatively and with transparency towards the goal of creating a leaner more efficient organization that is able to maximize every tax dollar or refocusing on this core mission.

I keep coming back to that because I just want this committee to understand that we know what we're about and what we need to be about.

And we need your insights and your counsel to help us shape the decisions of the future. Some of the decisions or future changes will impact our stakeholders but we will do our best to reduce the overall impact caused by these expected budgetary decreases.

And at the same time as we go forward we will strive to keep you all informed of actions we are considering to address the challenges while maintaining our animal health program.

In closing I'd just like to say as always I would encourage you to document your deliberations and recommendations because I know that the secretary will be interested in your discussions.

Again I cannot state enough how much we appreciate your work and again I appreciate the opportunity to have a few minutes to share with you this morning. Thank you very much.

Kim Ogle: Thank you Dr. Parham. I'd like to move back in the agenda a little bit, let's go back to introductions and I wanted to accommodate you, I didn't know what your time frame was.

Let's start with Dr. Hoenig and please introduce yourself. Tell us who you are and who you represent and why you wanted to be on this committee please.

So introduce yourself, tell us who you represent, and why you wanted to be on this committee please.

Don Hoenig: Thanks Kim. My name is Don Hoenig, I'm the state veterinarian in Maine. I also act as the state public health veterinarian for Maine. I'm past president of the US Animal Health Association and I represent the state veterinarians.

But I was also nominated by the US Animal Health Association executive committee as well as I believe the AVMA.

So I don't feel like I represent all those people or stakeholders, but I think my main people that I do represent are the state veterinarians and those are the people who I've been communicating with pretty extensively over the past year.

Why I'm here, I think it goes back to an experience I had in the UK ten years ago when I went over there for a month to work on the foot and mouth disease outbreak.

And it really changed my career and the way that I look at things and ever since that time emergency preparedness has been at the - kind of at the top of my list as far as a priority.

And so I've been pushing in directions that attempt to get us better prepared if we do have an outbreak of foot and mouth disease.

And this involvement in this committee just became a natural outgrowth of that. Thank you.

Judith McGeary: I'm Judith McGeary and I'm the Executive Director of the Farm and Ranch Freedom Alliance. We have a real mix of membership, it goes from everything from some cow calf producers in the western states to horse owners to quite a few diversified and sustainable practices farms.

We also include local foods consumers and I was nominated and an in communication a lot with groups representing those different constituencies in different parts of the country.

So why am I on this committee, that's a darned good question and Don even warned me we were going to go down this road. I guess actually again it was sort of a natural outgrowth of several years ago the reason I founded HARTHA to a large extent was about the animal ID.

And in the bigger picture about the need for the small and diversified farming community, particularly the local foods movement to become more involved in policy making.

And what's going on at the state and federal level on the regulatory and legal world and so being on this committee or trying to be involved in this was really part of what we do.

Phil Stayer: I'm Phil Stayer, I'm corporate veterinarian for centers and farms, I'm here representing National Chicken Council, primarily on this committee, trying to represent the interest of the commercial poultry industry.

Kim Ogle: Thank you.

Howard Hill: I'm Howard Hill, I'm a veterinarian with Iowa Select Farms which is a slant operation in central Iowa.

I was nominated by the National Pork Producers Council and so I represent the swine industry. My interest in being on this committee has been all my life been working in animal disease control, surveillance and I think with the fact that about 20% of our product is exported outside the United States, I think last month we set an all time record for the month of about 27%.

With the recent FDAs that the president just signed we estimate that that will add another about \$11 for every pig produced in the United States so exports are increasingly important to our industry.

And we want to be sure that we protect that export market through proper traceability and disease control.

Kim Ogle: Thank you.

Liz Wagstrom: Hi, I'm Liz Wagstrom, I'm chief veterinarian for the National Pork Producers Council. I've tried to figure out - remember the mish mash of associations that nominated me and it was largely swine veterinarians in the pork industry but also AVMA and animal feed - American Feed Industry Association.

So again a mish mash but I definitely am representing pork production. My career has been involved in working that interface between public health and animal health.

And so I think we need to make sure we don't lose track of the public health implications of what we're doing for animal health.

And so some of the diseases we work with are zygotic, some are not but the importance of this committee and the reason I'm very pleased to be on it really came home to me last week, I was in Russia.

They're having an outbreak of African swine fever there and what we found in Russia is that with the fall of the Soviet Union they have weakened their veterinary services, they have no animal identification.

They have no central veterinary authority that they have to go through regional veterinarians that may nor may not believe that the federal approach is best.

And they are a country that's starved for food so they're not throwing away anything or destroying any product that may be contaminated.

And you can really see how it's impacted their pork producers in largely backyard and small farmers are more impacted than the large farmers.

So that really brought home to me the importance of some of the topics that this committee will be dealing with.

Kim Ogle: Thank you.

Cindy Wolf: I'm Cindy Wolf and I represent the American Sheep Industry Association. I am - I teach veterinary students at the University of Minnesota about small ruminants and my husband and my kids and I raised sheep, goats and beef cattle.

And I think that's why I'm interested in working with this committee, because I have an insight as a producer, a veterinarian and then being involved with

other organizations and have done a lot of gray haired work with the Scrapie program such that I appreciate how we have to all pull together to make programs work for those of us at the grass root level.

Kim Ogle: Thank you.

Andy Goodwin: My name is Andy Goodwin, I'm a professor and a fish house specialist at the University of Arkansas at Pine Bluff where I work closely with our aquaculture industry, especially supporting health inspections for interstate and international movement.

Our current system of state and federal regulations for fish health is a major constraint to the aquaculture industry and some proposed changes, especially at the federal and the last few years have had the potential to be rather devastating to some major parts of the industry.

So I'm here to work with the rest of you to promote safe commerce and aquaculture products while protecting the environment.

Thank you.

David Meeker: Good morning, my name is David Meeker, I am on staff with the National Renderer's Association here in the Washington area. Rendering supports all of animal agriculture and I have personal experience in beef, swine and poultry.

I wanted to be on this committee to offer strategic advice to the secretary concerning animal health issues. Rendering handles approximately 50% of all live production of all animals in the country.

And it's essential for sustainability, animal health and public health and often forgotten.

Kim Ogle: Thank you very much.

Vicki Hebb: Good morning, my name is Vicki Hebb, I am a member of the Cheyenne River Sioux Tribe of South Dakota. My husband and I have a cow calf operation and we raise buck and horses and I work for the intertribal agriculture council which is a national non-profit that was mandated by Congress in 1987.

So that tribes would have a concerted voice here in DC, I'm also the co-founder of Native Women and Youth in Agriculture. I was nominated by the intertribal culture council and the office of tribal relations to ensure that tribes were at the table to have a voice, primarily as we continue to define and hopefully come to a resolution of animal disease traceability, tribes and the US government operate government to government.

And so we all felt very strongly that tribes should be part of that process as well. So I'm honored to be here and I'm excited about the work that this committee is doing as well. Thank you.

Kim Ogle: Thank you.

Gilles Stockton: My name is Gilles Stockton, I cow calf producer and sheep producer from Montana and I'm also a consultant in East Africa and the Middle East on livestock trade and pastoral production systems.

I'm a member of a number of organizations, like the RCALF and the US Cattlemen's, Montana Farmer's Union, Montana Wool Growers. But I was

nominated by the organization I work with the most is Western Organization of Resource Councils.

And why I was interested to be on this panel I think really stemmed from the past proposal for the National Animal ID system which I found to be extremely you know expensive and overreaching on the part of the USDA and so I wanted to be on this council to make sure that this you know very important interface between our veterinary protections and response systems are practical and understand the actual limitations and needs of you know what we who are in the production side of things have to do.

And that we end up with a very practical and useful system rather than one that is expensive both to the taxpayer and to the producers.

Kim Ogle: Thank you very much.

Chuck Massengill: Good morning, I'm Chuck Massengill, I've recently retired after 22 years as the state animal health epidemiologist for the state of Missouri. As a veterinarian and I participated in US animal health associations since 1988.

And I have participated in the bi-national committee which is the interaction between the US and Mexico on tuberculosis and brucellosis in cattle.

I was nominated by national cattlemen's Beef Association and I am excited to be on this committee because it gives me the unique opportunity to apply my experiences as a veterinarian, as a regulator and my wife and I raise beef cattle and meat goats.

And we ride mules too.

Kim Ogle: Thank you.

Brian Thomas: Good morning everyone, my name is Brian Thomas, I'm a member of the Shoshone-Bannock tribes in Idaho and Nevada and - but I live in Idaho, I want to get that across.

We have a cow calf operation, I'm the third, fourth generation cattle rancher. We have pure bred and also commercial herd and black angus. Aside of that I work with the Indian Nations Conservation Alliance in the - I'm also a building contractor working with the tribes and what the Indian Nations Conservation Alliance we do outreach to tribes.

And I was nominated by INCA, and then also a sail barn there in Idaho did - really asked me if I would be a part of this animal health advisory committee. And several of the individuals we worked with the traceability and also the TB and brucellosis we - they asked me to put my name in after INCA asked me to be a part of this committee.

And over the last three, four years I've learned a lot about animal health including (visinotics) and the ERE pets and things that are needed for better animal health within the states and elsewhere.

What really got me several years ago was we were traveling to one of these meetings with the traceability and I ended up in Denver for several hours.

But realizing that I was at a place I shouldn't have been, a gal from Canada came into the airport really sick and at the same time I got the swine flu the week after that.

But it was something that was really tough to battle because I have asthma and having the swine flu at the same time, it was a challenge, it was really a challenge.

And that's kind of what got me you know to have a better understanding of animal health and how this could really affect the humans. So just reason why I'm here is to help the tribes move forward.

I'm not representing any tribe but I'm looking forward to helping the tribes and the socially disadvantage minority farmer/rancher, whether Hispanic, black or who else.

To out there to have them better understand these programs and why they're there and how USDA can further help the - all the farmers and ranchers here in the states and I'm just pleased to be here.

Kim Ogle: Thank you.

Max Fernandez: Good morning, my name is Max Fernandez, I'm from Washington State. I'm an open range sheep herder, also a cow calf producer. Also I believe to NIFE and the rural collegian (unintelligible) on DC and the Latino Farmers and Ranchers.

And one of the main reasons I want to be on this committee when I was a child in Chile I saw the destruction of our herd with the foot and mouth disease.

The army came and they killed them all, so did my neighbors and I can tell you that they have a station and the penalty was that to see what happened to me and my family and other people around. That's the main reason I'm here.

Kim Ogle: Thank you very much.

John Fischer: Good morning, I'm John Fischer, director of the Southeast and Cooperative wildlife disease study, we're at the College of veterinary Medicine at the University of Georgia.

I was nominated by the Association of Fish and Wildlife agencies for this committee in recognition of the growing importance of the disease in the relationships between wild and domestic animals.

And that's an area we've been working on since our organization was started back in 1957. I've been very active in US animal health association over the years and I'm also a member of the OIE's wildlife disease working group.

Our organization has particularly been involved with APHIS and emergency preparation training and response that goes back well, we held our first test exercise in which wild and domestic animals were affected with foot and mouth disease in Athens Georgia back in 1967.

Since 1979 we've had continuous cooperative agreements with APHIS looking at primarily emergency animal disease response and preparedness and also developing information on the disease interrelationships between wild and domestic animals and human animals as well.

And so again here because of the importance of the disease interrelationships between wild and domestic animals, although I'm looked at primarily as wildlife guy, my upbringing was rural and although I was a town kid my first memories are of my grandpa's dairy farm which was about 20 minutes up the road.

Thank you.

Kim Ogle: Thank you.

Morris Johnson: Yes, my name is Morris Johnson and from Arkansas, southwest Arkansas and I'm mostly representing the small farmers, especially the black farmers.

And to be on the committee is just to be a voice for the black farmer, you know we have a little distrust I guess in government, to just be a voice for them. And that's it.

Kim Ogle: Thank you very much.

Boyd Parr: Good morning, Dr. Boyd Parr, I'm the state veterinarian for South Carolina with Clemson University which is a little unique for a state veterinarian to be with a university.

And in that role we also are affiliated with the aquatic extension services so we have a role as extension veterinarians so we bring both parts, I bring both parts of that to the table.

I am active in US animal health association and the national assembly of state animal health officials. I am alternate delegate to the ABMA House of Delegates for South Carolina.

But my nomination to this committee was to American Farm Bureau Federation. Prior to my becoming affiliated with Clemson livestock poultry health I was in private practice limited to cattle for 26 years.

Grew up on a dairy farm and so American Farm Bureau is the one who approached me and made the nomination along with a wide array of livestock groups in south Carolina.

So growing up on a dairy farm and being in private practice in addition to my state vitriol all of that is emphasized to me you can see my whole life history has been involved with animal health.

And so the subject matter of this committee is of great interest to me and over the years seen how important it is to allow producers an infrastructure so that they can have an opportunity to make a profit without threat of disease.

And also the importance of being able to certify our status which I'm more acutely aware of in my state vet role of being able to have access to markets, both domestically and internationally, how important that is to their potential profitability.

Kim Ogle: Thank you very much.

Charlie Rogers: Good morning everyone, my name is Charlie Rogers, I'm owner and general manager of Clovis livestock auction in Clovis New Mexico. I'm also chairman of government and industry affairs for the livestock marketing association.

Livestock marketing association is the one that nominated me for this committee. I grew up on a farm ranch and dairy combination, kind of understand all of that.

And my position is owner of Clovis livestock option it gives me a unique perspective on the movement of cattle. And we handle cattle mainly, some horses but it's mostly cattle.

So I understand the movement, the practical applications of the programs we're talking about is what - is why I'm here.

Because I do understand how that works and some things look easier on paper than they do when you actually have to apply them.

So I do understand that and I think that's why I'm here. Thank you.

Kim Ogle: Thank you.

Genell Pridgen: Hello, I'm Genell Pridgen and I am a small sustainable producer in North Carolina and actually I was nominated by the Carolina Farm Stewardship association and also RAFE, the rural advancement foundation. Basically I'm here to represent small sustainable farmers and ranchers.

And my specialty is in poultry for independent poultry growers and also pork and sheep, pastured pork and sheep.

And so my main reason for being here, I'm very concerned about animal and livestock health issues but I'm even as well concerned about the growing local food movement particularly in North Carolina.

And so my concerns are how - are over how any regulatory - new regulatory laws, new regulations, what impact the growth of the local food movement and in particular, any encumbrances that might present in the practical application of these new regulations.

And I'll just - I'll cite an example, a lot of the animals that are raised in North Carolina through sustainable agriculture are processed for meat and sold back to the consumers.

But sometimes we have to cross state lines to have those animals slaughtered, we don't always have - and this is in a lot of states, we do not always have access to a slaughterhouse for independent producers.

So those very practical type applications of any new regulations are of concern to me.

Kim Ogle: Thank you again, thank you everyone. I'd like to go over the agenda. Oh yes, please. And just for the record I want to acknowledge the two members that are not present today, Mr. John Kalmey and Dr. Willie Reed, they will not be participating over the next two days.

All right, if you'd like to take your agenda out of your packages we'll take a walk through the next two days very briefly.

The majority of today, well actually the whole day is devoted to the proposed rule on traceability for livestock living interstate and actually if you notice I gave you a handout this morning of the format that I thought would be useful in having this roundtable discussion.

IT may get some conversation started and help you generate some ideas. We're not married to this in any way shape or form but I thought it might help you get started, that's what that little template is for.

So today we're going to spend all day working on the traceability document. Tomorrow you start off with a presentation on foot and mouth disease and the vaccine bank from Dr. Darrell Styles.

We have Luis Rodriguez from Plum Island joining us tomorrow with a presentation on agricultural research service.

He will touch on FMD, classical swine fever and African swine fever. Then we're going to have a WebEx from Fort Collins with Tom DeLiberto, he works for APHIS in wildlife services and he's going to give you an overview of the shared mission between VS and wildlife services.

And then later on in the afternoon you have a chance to visit the TB disease status and the new TB/brucellosis regulatory framework and you can work on that list of five that you have been working on, on your conference calls.

Okay, with that said I'm going to turn the agenda over to your chairperson Dr. Hoenig and he's going to go over some committee administration.

Don Hoenig: What were the administrative issues I was going to discuss?

Kim Ogle: I can help you out with that.

Don Hoenig: I didn't take good notes on that on Friday, I'm sorry Kim.

Kim Ogle: Nope, that's okay, I've got a few little notes. I don't know how good mine are, I took the meeting in my car. Well I did go over the writer role, that was one of the things you were going to talk about.

That we have a professional writer with us today and like I said earlier it would be beneficial if there's something really important that you want her capturing please be sure and say hey (Kay), I want that in the document.

And I thought it would be helpful to pass out this little template to help you work through the issues that you'd like to put in some kind of final product tomorrow regarding your deliberations or your discussions or in fact if you have recommendations you developed for the secretary that you can state them in this type of format.

It might help you get your thoughts together by stating the issue, the assumption and the discussion that takes place here.

And then format or formulate the recommendations. The other thing I think we were going to talk about was how to handle voting. You as a committee developed a voting matrix early on in your committee formation.

RJ Cabrera: We have that included in your folders, as a reference as we go through discussion. There may be a point in time where consensus is not reached and we have laid out roadmap or decision mapping for putting votes forward and reaching some sort of resolution, or not.

And that will of course be lead by Don Hoenig. But at any time a member may put a vote forward. So you can review that and we can cover it as we go along.

Kim Ogle: I don't know that I need to spend time going through it with you but it is in your package and if we have a need to use it we'll get the matrix out and we'll work through the decision using the matrix you developed.

Does anything else come to your mind Dr. Hoenig?

Don Hoenig: No, that's good. Thank you, Kim. Well just to refresh your memory, when we did the last time we took a vote on this - formal vote on the traceability framework it was a framework and we didn't have a rule in front of us.

So we - the two recommendations we voted on I believe were the extension of the comment period from 60 to 120 days which has happened.

And also the issue of whether to include feeders in the rule, I believe that was a vote that we took. It wasn't a unanimous vote but we did vote in favor of putting feeder cattle in the rule.

So since that time we've had a couple conference calls where we've discussed the rule. I think we all anticipated the rule was going to come out earlier, it didn't.

So we're right in the middle of the comment period now, in fact I believe the comment period closes on December 9. But this committee is not constrained by that deadline.

We can make recommendations to the secretary beyond the comment period But I really think it's important that the committee go on record from this meeting with some recommendations to the secretary.

So we have a day to do this, this is it. We're going to discuss traceability today for six or seven hours and we're going to make some recommendations or not.

We won't make any. I suspect that we will. I think there are some strong opinions on the rule and some people who on this committee who aren't afraid to speak up so I think we'll get some recommendations.

But we're going to discuss it for today. Now that's not to say that maybe we won't do a little drafting tonight and possibly you know tweaking some recommendations but we got to get this done.

So let's try to do it today and if we need to take breaks and tweak some recommendations and then come back and vote on them today let's do it. That being said we sent out some emails to all the members of the committee on I believe five different general topics where there was discussion.

And those were poultry brands, feeder cattle, group ID, replacement tags and then I came in late in the game and then forwarded you a letter from the National Assembly of State Animal Health Officials that was sent to the secretary after the US Animal Health Association meeting in Buffalo where the national assembly met.

And developed a letter to the secretary that's already been sent, but you have a copy of that, you should have all gotten a copy of that. So I have those essentially six broad areas to discuss.

WE sent them out for comment with some talking points several weeks ago. We got back some comments directly from members of the committee and so there were various members of the committee who weighed in on those issues.

So what I'd like to propose that we do and we talked about this, Judith and I talked about this on Friday with Kim and Michael and RJ was break this up

into six kind of manageable bites and talk about it and decide whether we want to make a recommendation and then move on.

Does that sound like a plan to everyone? Okay. So that being said we were kind of wondering how we might - which topic we might start off with. We have to start someplace, and Judith suggested we start with poultry and that sounds like a plan.

So I would offer poultry as the first topic that we discuss on the traceability rule and I have at least three people who weighed in with some comments on that, Max, Phil and Judith.

And so what I was thinking of doing was kind of opening up the discussion to everybody but since those individuals were the ones that weighed in on the topic maybe you would care to comment and then move forward.

And like I said we've got six topics to discuss so we're not going to spend four hours on this, okay?

Judith McGeary: Okay, I'll go ahead. What RJ is saying in case you all can't hear is she's passing out the stuff that was sent over email on poultry in case you didn't have a chance to print it yourself because I know I didn't drag everything with me.

I will keep this short, I promise. I wanted to add one thing as a general thing before we hit the subject of poultry and this is something Don and I have talked about which is you know at our first meeting there are those of us who tend to talk a lot, me.

You know there are those of us who are not shy and talk a lot. And there were a lot of folks who were much quieter.

And everyone's on this committee for a reason, both the reason you gave for why you wanted to be on this committee and the reasons of course you were chosen to be on the committee.

And I just want to really encourage folks not to be shy if you were one of the quieter ones and to speak up through this and tell those of us who talk a lot to hush up a little.

So with that I will talk, poultry. I have thought when we read the framework the way I understood some of the language, I misunderstood it and it looked like basically the NPIP, the national poultry improvement plan was simply going to stay untouched.

And that there would be not be new regulation requirements. And that was why I hadn't brought up poultry during our framework discussions. I am very concerned. I raised some of the issues on our first conference call that the way the proposed rule is written it would require things like literally tagging individual baby chicks as they're shipped across state lines on the first day of their lives.

Which is just not feasible, you can't do a permanent leg band on a baby chick. And as I went back and I thought about it myself as a poultry owner and talked to other you know pasture poultry and small scale poultry producers, you know we came up with just lists of other problems that this proposed ID requirement would cause.

And the consensus was I couldn't figure out a way to make it workable. I mean I really couldn't figure out well geez, if we just change this language or modified group ID here this would be workable.

There just isn't really a workable solution I think for individually IDing poultry on a small scale.

So I talked with Phil about it, I brought up the idea look, NPIP is working wonderfully. The NPIP is a voluntary program but really all the commercial - large commercial folks are in it, a lot of the hatcheries are in it.

The breeders are in it, and it is very focused on disease detection and treatment. You know it's not just an ID program, it involves regular testing of the flocks.

So that we are actually really tracking the disease problems and it's worked very well. And additional regulatory requirements the most likely effect frankly would be to drive a lot of the backyard poultry folks underground.

It's not that hard to do poultry without the government knowing about it honestly, it's small, fits in your back yard and when you get that situation and you get a situation where poultry owners are afraid to go to the authorities because of what they're doing is illegal you've created the conditions for disease outbreak.

What is missing from the back yard poultry area and what we desperately need frankly is better education outreach and I'll share very briefly when I first started on turkeys we had problems all the sudden with a bunch of our poults dying.

And I didn't have a clue what was wrong, I was brand new to poultry and it took me I think five days to find a vet who would necropsy a baby turkey and tell me what was wrong.

It turned out to be a feeding and management problem, it was not an infectious disease but had it been an infectious disease that five days where I was doing the calls, working hard and could not find resources to help.

And we need to get better information to newcomers to poultry and small scale poultry owners about what their options are if they see a problem.

And Phil and I started brainstorming some ideas there and that in the poultry world is what I'd like to see this committee focus on is how do we create those resources for small scale poultry to help overall animal health.

Man: I guess I echo Judith's comments, NPIP is not broken, doesn't need to be fixed. It's improving, it's - even influenza was added recently, salmonella (unintelligible) is being added, I mean there's one thing after another that's being added to it.

It's a program that works by the people that make it work. So I don't think that needs to be meddled with. The back yard poultry like Judith said I can't figure a system to do it.

Mississippi for example every cattle auctioneer is a chicken swap and when there's a feed store there's a chicken swap. There's not enough people to regulate that, I think we've seen some comments from Missouri saying that you know just don't have enough state resources to get out there and check on all this.

So what's regulation without enforcements? It doesn't make sense. So I don't see - I don't have a good answer, I don't have a better option unfortunately, because I don't see putting a regulation out there without the ability to enforce it.

We just heard about budget constraints, there's not going to be more money to do things with, so I don't see any more added to poultry being of help.

Back to Judith's comment though a positive thing about it is it has spurred us in the commercial poultry to make our resources more available to the back yard folks primarily through AMVA and the American College of Poultry veterinarians.

So that's in the words, we are going to have more information for back yard folks.

Kim Ogle: So with this poultry topic, can you summarize the issue in a couple of sentences here for documentation of this...

Judith McGeary: I think the issue would be that the proposed traceability regulations are not feasible for small scale pastured and back yard poultry operations and that the NPIP, the current framework of the NPIP is working extremely well and should remain unchanged at this time.

Kim Ogle: What about the regulation without enforcement piece, does that need to go in the statement?

Man: I would think that would be with the back yard folks, there's just no way to regulate that without enforcement.

Kim Ogle: So up on the screen, yes sir?

Man: I just - question and one of the things I didn't pick up was my copy of the rule to look through. I'm like you and I know in the supporting materials they sent out there was an affirmation of NPIP and then in the other requirements were just those who were not covered on the NPIP.

Is it appropriate for us to ask staff? You know I would flip through the rule myself but I'm not - the one thing I would note in the memo, the first thing it must be officially identified or as agreed on between the states.

So that was left out of the memo. There is an extension for anything agreed on by two states in there.

Kim Ogle: I don't - in poultry I think for ID and I know USDA's constrained as to how much they're allowed to say at staff during open comment period but for literally the identification requirement and shame on me for not bringing a copy of the rule with me.

It said they must be individually or group IDed. I mean that was...

Man: I turned to over to Dr. Julie Helm is my poultry veterinarian and she's chair of the US Animal Health Poultry committee so I turned it over to her for research these memos for me please.

And she took my notebook where I did have the rule, and I didn't bring it with me and she inserted that in for me. It is in the proposed rule that you have the state exemption.

Judith McGeary: Okay I thought that was on ICBI, but either way - let's back...

Man: Can we - I don't know like you said they're in a difficult being able to comment but can they point us in the right direction to the rule to look because my understanding was just like yours.

Man: Gille would you like to step up to a microphone?

Woman: Dr. (Weimers) are you on the line?

(Weimers): I am on the line also, I don't know if you have a reference to the rule itself that would be appropriate.

Man: Okay I've got the proposed rule in my hand so there's always three items that the proposed rule accounts for, defining what is official identification, second when official ID is required and then the movement requirements.

So for poultry official identification is defined by one of the following methods; a sealed or numbered leg band in the manner referenced in the national poultry improvement plan regulations part 145 through 147.

Group lot identification when group lot identification may be used, and so in the other section on when it's required.

Judith McGeary: (Neil) I found that actually, it has - and actually Boyd you are correct, it's moving interstate must be officially identified prior to interstate movement or identified as agreed upon by the states or tribes.

So there is an option that you know para states or tribes could choose to opt out. My apologies, since I spotted it I figured I'd go with it.

At the same time I don't think - and that may be worth noting but I don't think that affects the basic argument which is...

Man: Well basically as I understood it we weren't going to affect poultry because it was working well and that is how it works now. I asked Dr. Helm to research all 50 states and currently in all 50 states you either have to be under NPIP to move an interstate commerce.

Or they all require a test and to have a test you have to have individual IDs, so currently the law is with all states that you have to have individually tested these animals or be from an NPIP flock.

Man: And I myself contacted several veterinarians to find out what identification was required to NPIP animals and some of them require ID, some of them can just move in with the NPIP documents. And so there it would be you know each of the states has got some different latitude on what they allow in and out.

Our intent was to not change NPIP and not have any additional encumbrances for NPIP flocks and those participating in NPIP, the challenge was to find a way that we could help support the ability to plug some gaps in traceability where they exist for instance in the live bird market movements and that sort of thing.

Man: Genell did you have a comment?

Genell Pridgen: Okay so for example if I've got to take my poultry out of state to slaughter but I'm still retaining those poultry once they're processed, I mean is that legally considered as interstate commerce?

Because I'm retaining them and so what ends up happening in my situation is - or in another state situation is I have poultry coming in from multiple hatcheries and they may come in with a group lot identification from Mount Healthy or from wherever, ideal or whatever.

But then they get mingled with - maybe I have two or three hatcheries of chickens together and they're run together in the pasture in group lots or the process.

They're not separated according to which hatchery they came from and I will be harvesting from them instead of harvesting all at one time and all in all out thing which is standard in the commercial broiler industry.

It may be a three week process for me to harvest those animals and so this is where I see the problem coming from is how - you know the hatchery may give a group lot ID but once I mingled them with other chickens that come in from other hatcheries, how am I going to group lot ID them and how am I going to deal with that taking them to the slaughter house.

Or if I was taking them to a live market out of state. You know the people that are taking them to the slaughter house to process and sell for their own meat I mean to sell for meat back in state to customers, their own customers, are - you know I don't really know any that are involved in the NPIP program.

They are very conscientious about the health of their animals, those animals are being inspected in USDA facilities when they go to slaughter.

So it's not a exempt facility, it's a USDA facility. So how are we going to deal with those issues?

Judith McGeary: And I think there's a slight difference between what perhaps Dr. (Weimers) was saying and what I was saying about NPIP remaining unchanged. I'd agree actually as best I understand it, it's not that this rule changes the situation for people who are enrolled in NPIP.

But there are a lot of people who aren't enrolled in NPIP, you know the backyard poultry owner is not enrolled in NPIP. They're receiving their baby chicks from companies, from hatcheries enrolled in NPIP.

But this new regulation would affect the folks who aren't in NPIP in ways that aren't practical or feasible. So I don't know that we're actually - I think (Weimers) and I were coming at it just from two different angles.

Man: Before we go - I've got you next Howard, before we go to another comment, Neal or John do you have any comments on Genell's question as far as...

Man: I would just say that that's a great comment and the - those are the kind of comments that helps us to develop a final rule and you know this is all about how we can craft a rule that will provide traceability.

And at the same time allow for things to move forward with the least encumbrances as you mentioned. And so any kind of comments that you can provide would be greatly appreciated and we appreciate what you just said, it helps us a lot.

Man: Howard.

Howard Hill: I'm not a poultry guy but we do use group lot identification in the swine industry and so to try to address your questions and you ask these questions

Genell on the phone and I don't think they got addressed in our conference call very well.

But if you're sending - my understanding is regardless of the species if you're going to slaughter across state lines, you know to a single point, especially USDA you don't need identification of those animals.

You don't need individual identification of those animals, you can use group lots. Let me - and one thing I'd suggest to you if you want, this is a February 2010 draft of the swine program standards pork industry identification working group where we lay out very clearly how you can use group identification.

And let me just read one thing here on - we have static groups, static groups are groups that have a population stay, that population and dynamic groups.

Let me read this definition, may help your understanding here. Dynamic groups are a premise based system that exists for an indeterminate amount of time and receive movements within the production system.

Which would be your case, animals produced in a continuous slow production are an example of a dynamic group. An animal can exist in only one dynamic group during its lifetime unless it has an official unique identification identifier.

So you could buy your animals from a lot of different hatcheries, you could raise them in this dynamic group, you could take them to slaughter across state lines and use that - your premise ID or your group ID for any identification that you would need.

If however my understanding is if you want to take those animals out of that to a commingled area like a live market then they would have to be identified.

So you know this business of identifying chicks, I don't think that's feasible or even suggested. Unless I'm misunderstanding the program completely.

Judith McGeary: I think one of those keys to understanding the difference and the perspective that Genell and I have been talking about versus what your/e talking about with the pork industry uses, is we don't have vertically integrated operations, we don't have - let me.

But the way then I'd suggest that you look at the definition of group ID because as I best read group ID here, if we're buying from an independent company and we come in, I'm talking about the proposed rule, I'm not talking about the current situation.

I'm talking about the language that's here. If we buy it from a hatchery and then those groups are also split up and then commingled with other groups this rule, the language - let's put it this way, if that's covered under this rule with group ID then it really needs to be rewritten.

Because that's not what this language says.

Man: Liz?

Liz Wagstrom: So I think we're - the confusion may be that you feel you have to keep the group ID together once it reaches the new premises. So the chicks come with a group lot ID from the hatchery, they enter Genell's farm and all Genell needs to do is assign a new group lot ID that's got her premises number, the date the group was assembled.

And a number from one to 99 if she's going to assemble more than one group on a day and that group can be a dynamic group where she can bring new animals into that dynamic group.

She can take animals out of that dynamic group and as long as she's got a group lot ID that's got her premises number and the date the original dynamic group was assembled, it should be covered.

Judith McGeary: Okay, the definition of group lot ID is the identification number used to uniquely identify a unit of animals of the same species that is managed together as one group throughout the pre-harvest production chain.

That's not what is happening. It is not - you know when I get 50 chicks from IDO and then I get 50 chicks from McMurray, and they go into a laying slot together.

And six months later the roosters get pulled out for butchering and two years later some of the hens that aren't producing well get culled.

And when they get culled another batch of chicks comes in from Privet Hatchery and gets mingled in because it's one laying flock and two years later we do another set of culling they are not being managed together as one group throughout the pre-harvest chain.

They are constantly coming in and out. I understand what you're saying how you're doing it in pork, but this definition does not provide for that. You have program standards that further define that outside of the rule?

Because program standards that - what I just described to you is not within the rule, it's within the program standards that are accompanying the rule.

So whether there are poultry program standards that's where the definition fits in standards document in front of me, does anybody else?

Man: There are program standards for poultry in the rule? No.

Kim Ogle: So let's try to get (Kay) a summary of this issue and get this discussion documented. So now you started the discussion and then it went here.

So would it be helpful if you give (Kay) a little summary of what you'd like documented in this discussion?

Woman: Okay I would like it documented that for small independent poultry producers the rule, the proposed rule as written my understanding of it presents an encumbrance, an untenable and unworkable solution for those producers because they are sourcing their chicks from multiple hatcheries.

That how - you know albeit they are enrolled in the NPIP program, the hatcheries, they're coming in and being grouped together and then raised together from these different sources.

Now with broilers they may be harvested over a three week chain but as Judith indicated in the land flocks they're going to be pulled out. It's going to be a constant replenishing and pulling out over a continual period of years, pulling out roosters at one time, pulling out hens at another bringing in more.

So I'm not real sure how this is a workable solution as written whether those animals are crossing state lines to go to slaughter or whether they're crossing state lines to go to a live market.

Kim Ogle: Thank you.

Man: I have a question of either John or (Neil) to kind of clarify this issue if you can tell us under the proposed rule, would the birds that Genell has been referring to first of all need a certificate of veterinary inspection and second of all would they need to be individually identified.

Is that what you were kind of asking? Yeah, for both, so you're asking are - under the proposed rule, would those birds go into a terminal market or a slaughterhouse need to have individual ID?

(Neil): John are you going or do you want me to try?

John Fischer: Go ahead (Neil).

(Neil): Thanks. On the group lot ID for clarification I think it's important to understand and acknowledge that the group lot identification number is the only definition in the proposed rule.

And it does pertain to a numbering system for animals that move through the entire pre-harvest production chain as one group and the dynamic group scenarios and other variables are not in the proposed rule, nor are they referenced in the general standards document.

So the group lot ID as written in the proposed rule would not be applicable to the references being made.

I would point to another exemption that applies to all livestock and maybe for your discussion and not my interpretation, an exemption straight across the board is the movement.

If the movement is to a custom slaughter facility in accordance with federal and state regulations, you know the definition of a custom slaughter facility would be open for interpretation, at least needing clarification from my perspective.

But also then the last clause of the statement makes reference for preparation of meat for personal consumption so that might be an issue there as well.

Woman: So would someone please summarize the group ID issue?

Man: How about - okay. It's two issues here, I think in the memo it mentioned taking poultry out and I would not be in favor of that, we need a comprehensive rule.

However in our conference call you know you did raise some good points that I had not thought about the group lot and up until just now I thought it was clearer for swine but not for poultry.

So I would suggest that we need to comment further develop think of some suggestions on further defining, especially for poultry and possibly for swine if it's not in the rule.

The definition of group lot and that may be in the solution hand clarify that NPIP including the identification requirements is unchanged.

Judith McGeary: I hear what you're saying and that's where I was trying to go after the last call. The thing is we created separate group IDs, you know there's group ID for pork so I don't mess with you guys and then there's group ID for poultry.

And I could not figure out a way to write it that ends up being workable for the way particularly when we get into the laying hen flocks. And when you think about the consequences that if you don't qualify for group ID you know it's one thing to ear tag a cow.

You know it's \$1000 or more animal, and whatever the costs are which we already have concerns about, you know even with \$1000 animal. If you have to ID, if somehow you mess up and you have some chickens that don't qualify for group ID and you have to individually tag those chickens, you know the time itself outweighs the value of the whole chicken.

It's just not - we're not dealing with the sort of animal where individual ID is an option for anything except very specific breeding or show animals.

Man: And NPIP is working well now without doing that so that's why I say if we're clear that NPIP is allowed to function and we visited with our largest layer about that very issue and they do mix.

They said in a caged operation which is not what your constituents use they know which thing they came from.

But my people were happy - but we're able to trace sufficiently with the concepts that were discussed.

So either commenting to firm up the fact that NPIP is unaffected including the ID requirements but outside of NPIP you know you have the issues.

And it would be my suggestion. That seems to be the issue at hand. The one issue you raise as to whether to take poultry out and I would not be favor of that if this is comprehensive traceability rule, it needs to cover all species.

But sounds like we need some work, some clarification.

Judith McGeary: But I'm trying to understand when you say - I mean and I may be misunderstanding you so I'm confused. But it sounds like what you're saying is okay we don't change NPIP.

But if you're not under NPIP yes we're going to do some sort of new regulations. When I'm saying don't change NPIP I mean let's leave it alone, NPIP is working, we don't need new regulations.

Man: But the problems you've cited, this is only for interstate actual movement across state lines. What I would say to you, the current rules are even more strict than this. Are they? And you still wouldn't, and you don't under this rule.

Judith McGeary: Yes you would because she's not sending it for personal consumption only, the exemption of going direct to slaughter is direct to slaughter for personal consumption only.

You're taking it for slaughter and then coming back and selling it at local farmers markets and you know local venues. The slaughter exemption is only personal consumption.

Man: It does not allow for a group, I know that they allow for like a temporary number straight from the farm to a slaughter plant for cows.

Judith McGeary: That's not in here. Not for poultry.

Genell Pridgen: And for five years there was no slaughterhouse USDA slaughterhouse or no slaughterhouse available at all for independent poultry producers in North Carolina.

So it was either a five hour trip from my place up to Virginia or down to South Carolina every week, I never had to have a group lot ID or an individual ID that was not asked by me at the plant.

You know and I am concerned about animal health issues but it's got to be a workable solution because I'm using at least two to three hatcheries at any given time and I'm bringing in chicks every two weeks.

And that's just the broilers, that's not the layers, the layers are coming in twice a year.

Man: And what you describe as work and that's where we need to stay you bring them to south Carolina, they know who they bought them from so that's a problem we go ask you.

Genell Pridgen: Right, and then you know I'm taking them in and I'm picking them back up the same week as processed birds that have been slaughtered under you know USDA inspection and then carrying them back to North Carolina and selling them to my customers.

Woman: Okay thanks.

Howard Hill: Could we have a clarification of (Neil)'s comment on program standards? Program standards as I understand would be accepted by each - as presented by each species, right?

(Neil): Again I will refer to what was published along with the proposed rule in the general standards document. The specific reference to dynamic group per se is not included in the general standards document.

And it makes no reference to standards that are established by a specific species.

Howard Hill: Okay I'll give you an example. In the (unintelligible) eradication program we had program standards and we ran that program with those program standards. It wasn't federal legislation so I'm a little confused on how - where program standards fit in this thing because it sounds like you know in the swine industry we rely on program standards to take care of these things.

I'm not sure the same thing's happening in the poultry industry but I want to make sure that these program standards have the impact that I think they have.

(Neil): Again and John help me out here if I'm not being clear, I'm just referencing what is in the general standards document on traceability.

I don't know specifically of the appropriate disease program that might reference the standards you referred to in the CFR. For those to be recognized they do need to be specifically referenced to a specific document in the appropriate regulation.

And John are there other disease programs that might reference what Howard's referring to?

John Fischer: The (sudarabies) may but those program standards haven't been updated for quite a while. I think the standards that they're talking about are standards that were set by the swine industry's working group themselves.

Maybe never incorporated into our program standards. I know they've been discussed at great length and like you say that's probably the way things are being done. I'm not sure if it's ever been codified or put into our program standards however.

Be a helpful comment.

(Neil): Right, I think that's the point that we're trying to provide what is in the general standards document on animal disease traceability, they are not. And if there's preference accordingly comment would be appropriate.

John Fischer: Yeah, if there's a need for instance a definition of static and dynamic groups that might be helpful, I don't know.

Man: To try to kind of get back to the beginning of this conversation I think we're talking about two separate but related situations. The one is the receiving of baby chicks and I assume baby wiener pigs too from interstate commerce.

The other one is sending them into interstate commerce for purposes of slaughter. I know they're....

Judith McGeary: Or live bird markets, that's another area we haven't really gotten in to.

Man: Or live bird markets. I would think that it would be possible to exempt people receiving animals so receiving baby chicks if they're going in to a farm flock situation exempt them from having to continue on a individual ID right?

Man: Or group lot.

Man: Or group lot. And then if they're going to go back into interstate commerce to enter these kinds of discussions on dynamic groups.

Judith McGeary: When I started playing out the different ways, you know I talked with Genell, I talked with our folks near the Texas, you know north Texas and talked to some folks in Ohio.

The different scenarios that the chicken's travel in, it just - it's a nightmare and I think what we're getting - I'd like to sort of swing this back for a moment to sort of an initial discussion, it was interesting to me where Phil and I found common ground which is the point that - or a couple of points.

That for me, I won't speak for Phil on this but for me first of all it's not clear that the traceability is where there's a concern when it comes to poultry diseases.

And the other point which is even if it is, you know whatever you write if it's complicated, if it's hard to understand and the problem is once you really start trying to address every single one of these different scenarios, boy, this can get complicated quick.

What you're going to end up with in practical terms is people simply not complying. You're going to have people who go I own you know 100 hens at most, I own 10 hens, whatever it is, this isn't worth it.

I'm just not going to tell the authorities I have these chickens. I'm just not going - you know why should anyone care what I do? And then if there's a problem with those chickens they've got no place to turn.

And this is exactly what we saw, there was a huge outbreak with exotic Newcastle disease in California, it was very extensive in the commercial hatcheries.

And the reason it was so extensive in the commercial hatcheries was because it had spread very extensively through the illegal cock fighting flocks first.

And well if you've got illegal cock fighting flock you don't call the authorities when some of your roosters start dropping deal.

What happens is then spread throughout that community, enter the commercial flocks and it was a disaster. And so my concern is either we can't come up - I can't come up with something that actually works or small scale producers and that anyone other than a specialist lawyer could possibly understand.

You know it just - and what we'll end up with in practical terms is a lot of underground flocks and disease disaster in the making.

Man: I would ask if it's too simple to - in Genell's particular example to simply follow the rule that says if the animals cross a state line and return they don't have to be documented or identified.

Is that not true? If the animals cross the state line and return in her case that solves Genell's problem. The second part of my concern would be what's

wrong with NPIP and why would back yard flock owners not participate in an NPIP?

The people who destroy game cocks in California during the END outbreak many of those people had birds that were part of the family and they would not have been destroyed had there been better disease surveillance.

Judith McGeary: NPIP comes with cost and comes with expense and paperwork and time. I think NPIP is a great program. I mean I'm not dissing NPIP, it's a good program, it's worked very well.

But I think it's unrealistic to think that everybody who wants to have you know ten hens or wants to have a small egg production or is doing a pasture poultry operation as part of a large diversified farm is going to invest in that.

It's - you know mandating NPIP on every owner wouldn't be a productive solution either. I do think, again I go back to I think we need better outreach. I think that the back yard poultry owners and the small (unintelligible) owners need much better access to understanding what resources there are, what their options are for testing.

You know and how to better address the threat of infectious disease.

Man: I'm not aware that NPIP has any requirements of flock owners participate. NPIP is involved in intra state and interstate movement of commercial animals or exhibition animals, is that not true?

So if I have ten laying hens NPIP has no jurisdiction over those birds unless I choose to sell them.

Woman: Yes.

Man: We have an expert here on NPIP and poultry. Fidelis, want to introduce yourself?

Fidelis (Hegngi): Yes, I'm going to try to introduce myself. My name is Fidelis (Hegngi), you can call me Fidel. I'm with VS veterinary services and I'm part of the poultry staff.

And the one person in (unintelligible) I do have two other staff members over in Conyers with Steve Rooney and a new veterinarian that was just hired, Dennis Benson.

Just a little background, I'm a poultry specialist, I work with poultry staff. So that you understand also a little bit of my background before I start saying a lot of things, I used to be the assistant state (unintelligible) for Maryland and the acting state (unintelligible) before I joined APHIS.

Used to be a laboratory director so dealt with a lot of implementing NPIP programs. Under the NPIP there's a general conference committee which is an (unintelligible) for (unintelligible) agriculture. I used to serve four years in that (bi street) committee.

So to address the IDC situation as you all have been discussing, a lot of statements that have been made, so let me just clarify a little bit.

When we talk about conventional and non-conventional, talk about back yard flocks and all that, the NPIP program is a (bulontry) program. Everybody has the opportunity to participate.

So there's nothing as back yard poultry to not participate in NPIP, they can't. There's a sub part E that participate in NPIP, but if you look at what is the objective of the NPIP which again was preventing hatchery disseminated diseases to spread, that is the objective - and then using new technology to prevent that moving from state to state or even intrastate.

That's the objective of NPIP and then the certification of products. In the discussion of the totality on bird identification, every time - I think the consensus has been that commercial poultry can move because I mean I even brought the NPIP prohibition, there are a lot of things and how they move.

There's the 9-3's, that is a government form that they use under the 9-3I. That also has been implemented in terms of how birds move interstate and how they go to processing. So those things have been covered in NPIP and the industry can do all those traceability and all that.

I think the issue that has always come up is with say back yard poultry or other forms of poultry that don't participate or other forms of poultry like when we talk about the (unintelligible) system.

So to give you a little background on that and some of what we have found and concluded for the members of this committee, when we had the significant outbreak of avian influenza all over the world with the new interface starting in 2003 and then in 2002 when we have the huge outbreak in Virginia where 4.7 million birds were killed.

And had almost 197 premises positive and linking that notifiable avian influenza to the world markets in New York and New Jersey based on the genetic sequences, there was a concern on how do we prevent that in the future?

Just to add I am the national coordinator of the live bird marketing system program when it was initiated in 2004 with the AI Program being implemented and commercial (unintelligible) in 2006.

We look at this issue of ID, if you go and look at the uniform standard that was written for the live bird marketing system with the efforts of USHA and the transmitting of poultry it was stated in there that including (unintelligible) would need a form of individual bird identification for birds moving in the market.

So what did we do as APHIS? And I have a working group with the live bird marketing system. What we did in 2005 we sponsored a research with (Cadix) looking at individual bird ID. Was it something that can really work?

Because if you look at the system the world market system is a very complicated system. I always say when you talk about movement, I don't know any commodity that moves as poultry so when - everybody compares pigs, cattle and all that.

The way poultry moves is more than anything that you can ever think in your life. So when we looked at just movement in the world market system just in the east coast, so this just to give you a good example.

There are about 26 million birds that move from the east coast to go to the world markets in New York, New Jersey and New England states.

Sometimes when we trace back on the positive in the market to try to figure out where that bird came from, sometimes it had moved 350 times.

Okay, in different locations, so folks were like we need an ID system. When we did the first study of the ID system looking at glue tags and back tags, because when you talk about putting ID on birds going through this ethnic groups, you can't use IDs that (adoterate) what they eat.

Okay so people eat the neck of a bird, people eat the shanks of the bird, people eat the wings. You cannot put ID on them, because that was the one thing that we found out.

So we came up looking at glue tags and back tags, putting it on the feathers and the retention rate of that came up to almost 95%. The issue that arose from that discussion and this was heated debates between the states and the participating industry was the fact that when you start dealing with tagging and you go to the market and you get a cage that has 50 birds in it.

And one bird in that cage doesn't have a tag, who is liable for that ? Okay that producer or the hatchery that tried to use a glue tag has done their job. But at the end you don't have 100% compliance, who is liable for that?

So the working group then looked at to say I mean I had - I use you guys, BPD even came one time to do a (unintelligible) very near hitting between the producers and the market owners.

And the conclusion in that, the way they looked at it was if there is a technology that can be applied on birds, that can give 100% compliance in terms of tagging they would look into that.

So guess what? We looked at another technology that again if a sponsored research and the first research was almost \$350,000 the second one was almost \$100,000 looking at proof of concept.

Because again there was a strong feeling that we cannot clean disease from the world market system with out looking at bird ID.

When we sponsored that research this was what they call a micro tag research that is an overt kind of tagging, that you spray birds so you can see the spray with the naked eye.

They use it in the pharmaceutical industry and in produce. We did that. The initial study again did not give 100% compliance but had some positivity to it. So why am I sharing this all with you?

When it comes to bird identification and individual bird identification, as Phil just kind of mentioned in remember the NPIP program or the poultry programs a lot have launched the programs. They're not - especially the world market system, there's no regulation on that.

That's standard. In terms of what - why are we doing this and that's what we looked in to, we wanted to clean AI in the markets. Guess what? For some of the proponents that said that we can do more on what is already in the regulation, we've been able to clean the markets over the past four years without bird ID.

Okay that was one thing that the committee came up with and that's the one thing that they wanted to see that we implemented some things that needed to be done.

And if the market stayed dirty then they would look into technologies that can support better identification. So I would just like to share with the group that when you're looking at bird identification in poultry there's a lot that was

done already at this minority and majority report that I can share with the group, you know the working group that I cannot share had looked into that.

And some of the suggestions that they made when we did the overt technology we did a little proof of concept, he ended, the company could not continue to the next phase.

Because first of all we lacked funding and then the second thing they also lacked personnel to carry on. But it comes down to technology. To do this for it to be effective is easy to put it in a regulation.

But in that implementation it comes down to technology to make it work for poultry.

Man: Thank you Fidel, that was a great background. Let me give you an example. We're a state that is a net exporter of poultry, we have 4.5 million layers in Maine.

About 2 million of them end up on the live bird market in New York City. Fifteen years ago those live markets and there were about 85 of them were 50% infected, more than that, 70% infected with H7 and H5, but mostly H7.

So how do we clean that up? With no bird ID? We did. We meaning everybody who was involved in a live bird marketing system. But one of the things that happened was the states started putting on stricter rules on movement of birds.

There were no rules on my 2 million birds going to New York City. They were going down on trucks of 6 thousand and they were going into a wholesaler in Queens.

And from there they went out to 85 live markets.. Well now when a truckload of birds goes out to New York City from Maine and it happens two or three times a week, those birds have got to be tested for avian influenza within ten days of going to New York and they need to go on a certificate that says they were tested.

So those birds are not only tested, they're certified by the person who tested them and then they go into New York City. So that's what's changed and also they started testing all the live bird markets, they had chicken holidays.

You know they shut down all the markets, they depopulated them completely, cleaned and disinfected them so that when the birds started going in live bird markets again they were hopefully clean.

That instance I don't know, when was the last time you had a positive live bird market in New York City?

Fidelis (Hegngi): May 2006.

Man: May of 2006, five years those markets have been clean. That was done without ID. It was done though with state rules.

And there wasn't one of those birds that came out of Maine that was IDed so as I listen to this discussion it seems to me it's almost like we're in a solution in search of a problem or if it ain't broke don't fix it.

But how do we - in my opinion, yes we need a comprehensive system that relies on NPIP, this didn't really have much to do with NPIP until AI was

included in NPIP about five years ago when they put in an H7 and H5 NPIP program that all commercial firms had to sign on to.

Because if you didn't you didn't get indemnity if you got H5 or H7. So that's how it worked. Did any birds get IDed? No. There's a small example if Genell sends birds in to New York City they - right now they don't have to be IDed but they've got to be tested, ten birds have to be tested for AI.

And then they need to go on a certificate so that's the way it happens. But here's another situation that does work and that I never felt was much of a problem.

Suppose somebody in New Hampshire wants to move 20 layers to Maine. When they call me up they say okay are you an NPIP flock? And I ask them some detailed questions, where did those birds come from?

Well I bought 20 birds from Murray McMurray in the spring and now I want to bring them to Maine. Do you still have your 9-3 form? Yes. That's an NPIP flock, that flock can come into Maine without a health certificate.

I asked them another question, okay did those 20 birds come from Murray McMurray, did you put them in with other birds? Yes, I've got 20 other layers. So now - where did those birds come from? Well who knows, they could come from anywhere.

So now you've got to be an NPIP flock to bring those birds in to Maine. What do you have to do to be an NPIP flock? You have to test 10% of the breeders. So she's got 40 birds, she's got to test 4 birds, for paloram typhoid.

In some states now have avian influenza requirements too, I don't. I probably should but NPIP says NPIP certified is four birds, 10% of the breeders tested and then they have to come from a 9-3 from the New Hampshire that says they were tested.

So that's how it works. Do those birds need to be individually identified? The four birds that were tested need to be banded, the rest don't. So that's how NPIP works.

And as a state animal health official it works. And so did the live bird marketing program so I just kind of listen to this and you know I wanted to give you some real life examples of how it worked. I'm not sure how that comes through in a comment.

But we've just heard from (Neil) and John that a comment is needed on this and Judith and Genell who are dealing with this on a real world basis, how do we draft a comment?

Genell Pridgen: I have a question and then also a comment. What - and I'm not familiar with this, what are the cost for the NPIP like to test those birds and to band those birds, what is the cost to the farmer, to the rancher?

Man: Well in our state we have 10 or 12 independent poultry testers who we've certified. They're people like you and Judith who may have interest in poultry.

We taught them how to do the plate test which is a test you do on whole blood right on the farm with a glass plate and a little light and they go out and do it.

And there are laypeople who go out and do it and they may charge a nominal amount. And we have 60 NPIP flocks and mainly we require that they get that to go to fairs in the summertime to exhibit.

So if you had to do it, you would just have to do it once a year and you'd have to find out in your state how that's done, I'm not sure how it's done in the individual states.

Man: In Missouri it's done at no cost to the producer.

Genell Pridgen: Okay.

Fidelis (Hegngi): To answer your question it varies from state to state. A lot of the poultry testing, a lot of state is covered by the state. Some state labs then have a fee for service that you pay for the service.

For the AGID test that a lot of them do (unintelligible) test it comes out to almost \$1 per test.

Genell Pridgen: One dollar per test? Okay.

Fidelis (Hegngi): For the testing, not for the person who goes and takes samples and other also can charge for their service. But all that is driven by the state.

Genell Pridgen: So my concern as an independent small scale poultry producer is having to do the individual ID and I'm not sure exactly what the cost would be there.

My hope is that with each chicken that I process as a broiler and bring that back and sell it, I'm hoping to clear \$1 to \$1.50 per bird, that's it. And we're not talking about sending out you know 20,000 at a time for me.

We're talking about continuously harvesting anywhere from 800 to 1000 a week. So you know I've got to know what those costs are going to end up being because if I'm only hoping to make \$1 to \$1.50 per bird those costs can add up real quick.

Kim Ogle: Okay for (Kay)'s benefit let's try to capture this deliberation for her. How would you like this committee to wordsmith how you feel about this issue or capture this piece of it?

Judith McGeary: Can I suggest that in an effort to keep it somewhat simple we start simply by identifying a few key issues such as you know the issues facing our small scale poultry, those taking animals direct to slaughter, those going to the live bird markets and the transport of day old chicks across state lines.

Kim Ogle: That's what you want (Kay) to write, identify, okay.

Judith McGeary: So you know those are - so the three sort of issues that have been discussed in terms of the problems facing the smaller scale poultry producers are the transport of day old chicks.

Man: Although just to interrupt, I'm not sure that the transport of day old chicks is an issue. I mean you don't...

Judith McGeary: The way the rule is written it is. I'm just talking about under the language of the proposed rule, because under the language of the proposed rule if I get - because the requirement is placed on the receiver as well as the sender, so even though...

Man: That's true, then that is an issue. I order chicks from Ohio and if they have to be identified or it's up to me to identify them that is an issue.

Judith McGeary: Yeah, that's in there, because it's the requirements are placed on the receiver as well as the sender. So there's...

Man: So add that in then, transport of day old chicks.

Judith McGeary: Because of the requirements on the receiver.

Kim Ogle: and keep in mind we can wordsmith this document later, let's just get the words down so you guys can move forward.

Judith McGeary: The second key issue is the transport of chickens across state lines for slaughter for sale, not for personal consumption.

And the transport of chickens across state lines to live bird markets. I think what we've heard and people can disagree with me but I'm just sort of trying to capture very shortly you know consensus that the NPIP is a very effective program.

What I heard here which was really - thank you very much for coming and sharing that that the live bird market programs have been effectively - very effectively handled.

And that although - there is a concern that the USDA address poultry as a livestock, as part of a livestock - how would you phrase that Boyd? Poultry are livestock, yeah. Poultry are part of a livestock issues.

It's not clear that additional traceability requirements are called for. Are we there?

Man: When you say bird markets are you - I mean first of all you also have to include exhibition, what are you going to do on exhibition? And then you also have to define what a market is.

I mean the description that you were giving in a live market in New York those are for the most part terminal markets. But what about if they go to a market where the animals are sold live and go back to farms, that I think is a bigger issue for regulatory control.

Fidelis (Hegngi): Let me add to that. That's why we don't call it a live bird market, we call it a live bird marketing system. Because it's a system, we found out that we don't just deal with that terminal market in terms of taking care of the disease, we have to look at the system.

And we took that and made it an agenda to preach that all over the world because if you looked at the AI Program all over the world it was - is within the world market system.

And then only focusing on the end stage which you just described so bring it back to United States so when you look at swap meets, okay, you look at auctions, you look at back yard sales, you look at flea markets.

All of them are included in the live bird marketing system. Because we found out that how birds move someone can leave Maryland and go to Pennsylvania auction, buy 300 birds.

The next day he goes to new Jersey auction in a flea market and buys 200 birds and he comes and commingles them. We put in the uniform standard that if you do those type of practices we want you to hold those birds for 21 days, test them negative before you can take them to the market.

So we looked at all this and all the different ways that birds are moved. When you talk about exhibition, so when you're talking about individual bird identification exhibition becomes an issue.

Look at the entire United States, 50 states, look at all the counties, every county fair in every state. My state is Maryland. I used to deal with 23 county fairs plus the state fair in moving birds.

Picture what you talk about individual bird ID, how are you going to do that? So how do you comply to move those birds to those shows, NPIP again. The minimum requirement is they have to be tested for poloma typhoid.

If not they don't go to the show, okay, so that is required. So that's where NPIP comes, to cover for all that because again if we're looking at we're trying to prevent diseases there is a way that the poultry industry has done that in preventing transmission of disease and moving from state to state.

So that's a little bit of the background on that one.

Man: Thank you. Did you have more Howard? No? I had a couple other issues that might go under those bullets. Is there a need to - I heard there might be a need to comment on program standards that are not referenced.

And also static and dynamic groups? I'm not sure what the comments to make but is there a need to put that on there?

Judith McGeary: I think that might be a separate one for - we all want to focus on very...

Woman: Maybe a solution to what the poultry people are doing, I think I've got a concern on what we've got listed up there in that we say it appears that this is going towards a consensus that it's not clear that traceability requirements are called for for back yard flock.

And I'm not sure we're going to find a consensus within this group for that. You know the concerns I have is that in many of these flocks they're exposed to wild birds such as water fowl that carry all sorts of different types of avian influenza.

We know that we've had transmission from poultry to pigs, and mixing of different influenza types. So to me having an ability to trace back if an exotic influenza shows up anywhere is important.

And so the consensus that we shouldn't have a traceability that affects small producers is not something that I would feel comfortable with and my industry would not feel comfortable with.

Man: Judith is it fair to say that your concern on the baby chicks or day old chicks is because of the definition in lot group identification that requires that type to stay together through the whole pre-harvest process?

Judith McGeary: There are two layers, that's definitely one of the key pieces but even the description of dynamic groups, the (unintelligible) is not going to be - dynamic groups won't be a solution. It would be a partial solution.

It would be something particularly maybe for broiler flocks where you do have just a few ins and outs that would work. But by the time you get to something like a layer flock where you really are you know a layer flock can go on for years.

They come, they go, the paperwork involved even with the dynamic group that sort of thing that Liz and Howard were talking about, it's not feasible when you're talking about animals with the sort of dollar value that chickens have.

We're not talking about \$1000 animals, we're talking about animals where the profit margin might be \$1. You layer new requirements on and all you're going to do is end up with a black market. That's the reality.

You're going to have people go out of business or go black market.

Kim Ogle: Okay you have a couple of minutes before your break.

Man: Just following up just a second on what Liz said. I think probably you're right but I haven't heard anybody say that there's not a need for traceability but there is possibly a consensus that the need for individual identification is very small in poultry.

Judith McGeary: Okay could I rephrase, go back to rather than not clear that additional traceability requirements are called for, to say that not clear that additional traceability requirements would be productive.

You know if we're looking at what would be the practical effect, would that might perhaps be a bit more accurate Boyd? So where in the highlighted part, go up to where you've got the paragraph highlighted, it says not clear that

additional traceability requirements are called for, the very last sentence of the highlight, there we go.

Instead of saying are called for say would be productive.

Phil Stayer: This is Phil, say I'd just like to just weigh in, it's been quite a long time. Commercial poultry we would prefer that nobody had chickens but us. Quite honestly not for marketing reasons, just for disease concerns, but the reality of it is, is that they're here and like Judith said they're going to go underground.

That's happened time and time again. So I go back to I don't have a good solution for this, you know keeping these groups or however, Fidel brought up the wet markets in the northeast and Texas had some of the concerns, mainly influenza, live bird markets in Houston.

Testing the market was the best solution. But there is traceability, let's not go back to animal ID, it goes back to epidemiologist on site.

You know it's footwork, I just don't think animal ID is the solution to traceability.

Man: You know that's - another comment is and Fidel started out saying it, the NPIP is a voluntary program. You don't have to belong but if you want to come into my state you've got to belong unless you're bringing birds in for slaughter and then going to a slaughterhouse.

Then I wouldn't require you to be an NPIP participant but if you came in to my state and said I want to bring 20 layers in to sell you know they're 16 week old layers that you grew.

And you want to come in to my state with 15 or 20 16 week old layers, you're going to have to get an NPIP number.

You're going to have to get a percentage of those birds tested, so that's mandatory, for interstate rule for coming into my state and a lot of states have it.

Most states, it's a voluntary program, but for us it's mandatory. So maybe and I'm not - I mean maybe the solution is to make NPIP mandatory. That should make Fidel happy. Maybe not, I don't know. I'm just thinking out loud.

Fidelis (Hegngi): So that everybody understands, and this is something that has been challenged by probably 178 member countries and OIE trying to understand when we say NPIP is voluntary.

That is the American way. When you go 75 years ago when NPIP started, they realized that you cannot take a one to (unintelligible) say you must do this. Because it's voluntary you get better participation, like he just explained.

Okay you realize that the concept was so certification of products and movement, even how this is voluntary to certify your products you have to participate.

So it is the American way to give you that authority to say I make the decision myself, you know nobody forces. So that's a little caveat that is behind that voluntary.

So if you look at it there's almost 100% participation even when we use the word that it is a voluntary program.

Man: but the thing is, is that this rule is talking about making things mandatory that weren't formerly mandatory. I require stiffer veterinary inspection on livestock moving in to my states in most classes of livestock moving into my state and ID.

Official ID which we used to define as a silver ear tag. Now we're defining it again as a silver ear tag but you know that's been in effect for a long time. But that's my requirement, that's not the USDA requirement so that's why I say I mean I don't - almost can't believe I even said that about NPIP.

But still we're saying that for other classes of livestock now that they're going to have to have a CVI and they're going to have to be identified. So Howard?

Howard Hill: You know we've got the exact same concerns you do in the swine industry. We don't want to individually identify growing pigs because of the cost, you know labor, all that. So that's why we've gone to this group ID.

And the description that you give of this layer farm, that is buying some layers and maybe you're buying 200 layers and you add them to this group is absolutely no different than the independent producer that has a one site operation where he has farrowing, gestation, farrowing, a nursery finishing.

He's buying in breeding stock once or twice a year, he's selling, finishing pigs every week, he's selling coal sows and we use a group ID and a premise ID to be able to market those animals.

We're not identifying now the sows are identified with back tags, that's done at the market, okay? Now we have a national program with a national ID that's right now voluntary.

Some day it will probably be mandatory. But the pigs that are sold as your broilers would be sold are sold under this group ID.

So it's really no different and it think - I'm a little concerned about where these program standards go and I'm going to - we're going to go meet with (Neil) here in a minute.

But to me it answers your question without adding cost and labor to your industry.

Judith McGeary: Howard how much is a half grown pig worth? Just I'm not talking profit.

Howard Hill: Okay but...

Judith McGeary: How much would you sell a six month old hog for?

Howard Hill: Well six month old hog is a market hog.

Judith McGeary: Okay, not the way we raise but three month old, how much would sell a three month...

Howard Hill: Well a feeder pig is a very - but \$50 let's say.

Judith McGeary: We're talking \$5.

Howard Hill: But we're not talking about - you keep going back to this individual ID, we're not talking...

Judith McGeary: Even keeping the paperwork for group ID it is relevant to how...

Howard Hill: But if you pay for these - I assume you're getting an invoice, that's the record. You've got the address, you had to pay that person, you've got a record of it.

Judith McGeary: Yes, of - but then you're commingling them and then you have to create the new group ID so you are creating paperwork on the farm.

Howard Hill: You're making it way too complicated. It's not that complicated. Group ID is the way that our system works, we demonstrated it. We can - if we have a - if the industry today is asked by a regulator or by the packer to trace back animals we can have that usually traced back within an hour or two, back to the farm of origin.

It's not that difficult. I think you're trying to make it a lot more difficult than it really is. Now you've got the records already, you've paid for these birds. So they came from XYZ hatchery, you've got an invoice.

Judith McGeary: Well maybe they came from tractor supply company or they came from the local feed store.

Howard Hill: You still have an invoice.

Judith McGeary: You still have an invoice but then - sorry Cindy go ahead.

Cindy Wolf: Judith I think maybe (Neil) needs to clarify for us but what I envision is being suggest is that you have a premises number associated with your farm and all you do is attach - well I mean if you don't I can guarantee you the state does.

And so you know I'm not going to get into the issue of whether you're going to sign up for it or not. I'm just saying that there is a number associated with your farm today.

Judith McGeary: A lot of people who raise urban chickens are not raising them on farms that are registered with the government period end of statement. They aren't. Poultry is different.

Cindy Wolf: Okay, that's a separate issue. What I'm saying though for the group lot ID is that you have something that identifies you back to your location, the number of head that you move and the date that you move them.

That's your group lot ID and all you would do is have a record of that. The whole reporting thing is still vague and still potentially onerous and then if the government identifies a disease then they'll come back and they'll say where did these come from?

And then you're back to where we are right now. Some came from tractor supply, some came from this place, that place and you probably couldn't tell them which came from where.

But is it going to even matter because it matters about the disease and I'm not going to pretend to be - know about poultry diseases but if it's a shorter long incubation disease that's where it's going to matter to the government when they do their trace.

So from the sheep perspective, we think group lot ID pertains as well even though you don't see anything in there, in the document and that's - I don't know how to phrase it tactfully.

I guess we want to move this traceability rule along and that's why the program standards potentially got to be 13 pages versus every species that's

had multiple working groups for years that have big suggested program standards.

And I think that's the most valuable thing to me this morning is that we see that they've been excerpted or deleted and that has big impact to the industry.

Fidelis (Hegngi): And I just had one more comment, we've looked at cost when we did all those ID studies and in anything that you do with poultry if it's not as if - if that cost is not 0.05 of a percent you're just wasting your time, it's not going to be implemented.

That's the same thing the commercial industry uses in terms of looking at vaccinations and things like that for pharmaceutical companies who produce products.

If you don't look at it that way so when we went out and looking at the study, we wanted to make sure that can we bring it to that cost so that it can - and another thing, I think when I listen to the committee members discussing and all that it's always difficult when you write a rule that want everybody to fit into it.

And all I would just say is poultry, because well for example if I mention to all of you yet have you heard about urban poultry, has anybody heard about urban poultry? You've heard about urban poultry.

If you look at just Washington, (unintelligible) Washington, if we go out there and tell you how many people have chickens in their back on the use screen, but that's how difficult poultry is when we start talking about movements and things like that.

Because you're dealing with little tiny birds that can move all over the place. So when it comes again to ID poultry is - I would just say poultry is different in terms of how you want to apply ID.

It's not a simple -- we've looked at this -- I mean I can show you so many things that we worked on. I mean there was a time when ID started we brought it all the representations of all the different poultry sectors into (unintelligible) in Riverdale. Okay when the whole ID idea started and we kind of separated them into non-commercial and commercial to discuss about animal ID's.

We brought in the antiquities, you name it, every organization and it was not an easy recommendation that came from that group in terms of when it comes to individual ID's. I just kind of want to mention that again.

Don Hoenig: (Neil) you have something to add?

(Neil): Thanks. I think it would be appropriate to just comment in regards to the discussions and the intent of the working group that brought the regulation forward with a lot of input. I think as we looked at exemptions, we looked at them by species but also straight across the board. So going back to certain species, poultry is a good example, if I take my birds to a slaughter facility across the state line and our traceability ends when those birds are processed, but our services, that's what traceability is.

Are those birds traceable back to the production unit, okay, so, you know, I think in your discussions keep that in mind because that was really the intent of exempting certain production systems per say is that in that scenario are those traceable where they came from. So just encourage you to focus on that

perspective because I think it could be made very simple if you look at it from maybe what the intent of the working group was in the beginning.

Woman: Thank you (Neil).

Don Hoenig: Okay, we're going to take a break, I need a break.

Woman: 15 minutes and try to be back so we can wrap poultry up before you go to lunch.

Don Hoenig: This is supposed to be the easy one.

Woman: I thought it was going to be the easy one.

((Crosstalk))

Recording: You will now be placed into conference.

((Crosstalk))

Coordinator: Okay the recording has been started again, you may continue.

Woman: Thank you so much.

((Crosstalk))

Don Hoenig: All right everybody please take your seats once again, most everybody's here. Okay, anybody come up with any brilliant proposals during lunch to bring this to a conclusion -- I mean during break.

Judith McGeary: Wishful thinking Don.

Don Hoenig: We're breaking at noon, I'll tell you that.

Judith McGeary: Okay I would like to put, I don't know if it's brilliant, it's simple, I expect it may not have unanimous consent but I'd like to put forward for majority vote a motion that this committee recommend that the poultry provisions in the proposed rule be substituted with a single provision that poultry are governed by the provisions of the National Poultry Improvement Plan Parts 145 through 147 of this chapter, I'm stealing the reference, and leave it at that in terms of the formal recommendation on the language of the rule and include in the recommendation, not to be part of the proposed rule, but still recommendation of this committee, that USDA work on methods for improving the education and understanding of backyard and small poultry owners of the MPIP and other methods for diagnostic and disease control available for poultry owners.

Unfortunately we're missing both (Phil) and Genell so.

Woman: Okay (Kay) how you doing with that, does she need to go back and help you?

Woman: (Unintelligible):

Woman: Okay.

Judith McGeary: Okay. So poultry provisions be substituted with the same of that poultry are governed by the NPIP and outside of the rule the USDA work on recommendations for education and outreach to small backyard owners about NPIP and other options for diagnostic services and disease control.

Woman: Okay.

Judith McGeary: Poultry provisions, the proposed rule be substituted with a statement that poultry be governed by NPIP and that USDA work on recommendations, not recommendations, okay, yes, outside the rule USDA work on education and outreach, let's just take out recommendations, yes, USDA work on education outreach for small and backyard owners about NPIP, yes.

Woman: Okay.

Judith McGeary: That would be my motion. You might want to highlight it in blue since there's a lot of tagsters often.

Woman: Okay so you have a motion for a rule here at the table, do you have a second?

Don Hoenig: Is there a second?

Woman: Yes, Genell.

Don Hoenig: Yes, good. Discussion? Howard?

Howard Hill: What's small? I mean I hear people talking about ten and Genell described herself as small selling 1000 livestock a week, so what is small and is in the realm of our responsibility to be recommending to USDA how to spend money outside of things like traceability, I just ask that question. Because we're asking them here to spend money on outreach, is that part of our responsibility?

Don Hoenig: Well USDA oversees NIFA, which is the extension kind of arm of USDA rights so probably is since USDA is not just veterinary services.

Judith McGeary: And Howard to clarify, first of all if you'd like to take out small or backyard actually I'm happy even taking those out but they, you know, do work on education outreach to poultry owners about MPIP because there is certainly a range and people will defer on the definition. As far as cost, the sort of thing that (Phil) and I have been discussing and if we weren't running so short on time maybe on another day we can have more discussion are very low costs.

Apparently, you know, USDA for instance already has very good fact sheets but they're not getting into the hands of the poultry owners, you know, so provision that USDA provide those fact sheets to all of the hatcheries and, you know, request that the hatcheries send them out with the shipment. So I'm talking very, you know, using existing resources, you know, with very little additional funding. Oh, I wasn't...

Man: We do have a bicycle for the bird company, it's the largest company in the whole United States and entire world and many committees have always put recommendations to continue to support that program and that program extends to every 50 states and territories and all trading partners that want to use that information. You can access it on the Web, we initiated that program in 2004 after the E&D outbreak in California we were given \$4.6 million by congress to do that and it has been an extremely successful program.

We are getting to all pheasant shows, 4-H programs, just everything, okay, but again I can hear what you say, we still need to get -- we've not captured 60% of backyard folks...

Judith McGeary: So perhaps...

Man: ...so we keep doing that.

Judith McGeary: So how about this, so give the acknowledgement you all deserve, USDA continue to work on education and outreach.

Man: Yes, so we like that, you know, that would be appreciative.

Judith McGeary: To acknowledge the fact that there already has been quite a bit of work on it.

Man: We need money for that, yes.

Woman: Sorry, okay.

Don Hoenig: The thing I think I don't want to lose in this resolution or motion or recommendation is that all the discussion that went into this and why which we've kind of got in some of the bullet points above and so I don't know how, and I'm not volunteering to do this, but I think we need to have some taxed background, some background statements that why this resolution or committee recommendation came about that would reference the MPIP's success in eradicating quorum, the success of the live bird market group and eradicating H7 from the live bird marketing system, the success of the E&D effort in California that, so.

Judith McGeary: How about then the motion be that we approve this recommendation and I will draft a background statement that the committee will still have review of the actual language on the background statement. But that way we have a vote on the actual recommendation, Don do you think that's an acceptable motion?

Don Hoenig: Sure.

Woman: How are the other committee members feeling about this? Let's look on this side of the room, there's a few folks who have not weighed in on this issue, I'd

like to hear from them. (Gilles) I'm sorry, did you have your hand up sir, did you have your hand up sir, I'm sorry.

(Gilles): Judith by adopting this rule and this issue of the receiver of the little birds on intra state commerce that becomes mute.

Judith McGeary: NPIP does not impose requirements on the receiver.

(Gilles): Yes.

Judith McGeary: So.

Don Hoenig: Other comments?

Woman: Will NPIP under this recommendation become, I don't want to say mandatory, but more encompassing than it currently is?

Judith McGeary: The purpose of this recommendation would be NPIP remains unchanged, but, you know, to the extent that the state make it mandatory as an import requirements of such, states are still free to do so. But it wouldn't, I'm not recommending that we mandate somehow MPIP beyond where it is now.

Woman: This takes away any traceability or premises identification requirements for backyard producers.

Judith McGeary: It takes -- it says there are no new, you know, regulatory requirements for identification and traceability.

Woman: Is the committee ready to take a vote on this issue, I can capture each person's vote, are you inclined to do that?

Don Hoenig: Are we ready to vote?

Man: No.

Don Hoenig: Okay.

Man: We had changes, there was no agreement on the second, and, you know, if you take the small and backyard out then you can say to anybody that we don't have to have any traceability or ID the way I read this. I mean, yes, they are MPIP but it absolutely takes the responsibility for traceability out of the poultry industry is what it looks like to me.

Woman: Okay so what would you like the secretary to hear or see from this document?

Man: Well it's just a matter of proper procedure. The person that makes the motion can't just change the motion without the second agreeing to it.

Judith McGeary: Okay so you're right, we have made changes, so the new motion would be that poultry provisions in the proposed rule be substituted with the statement that poultry be governed by MPIP. Outside of the rules we recommend that USDA continue to work on education and outreach. I actually think that probably taking out small and backyard does make sense, because it's a definitional problem for poultry owners about NPIP and other options for diagnostic services and disease control. Genell I believe you were my second.

Man: Friendly question and when I hear you say it's the outside of the rule means we're moving on to make a recommendation when I read it apart from the discussion, it can be construed to say NPIP and its outside of the rule which wasn't the intent.

Judith McGeary: Oh, NPIP period, maybe that -- it's just a punctuation error.

((Crosstalk))

Man: Maybe you just say it's additionally.

Judith McGeary: In addition, yes.

Man: Additionally instead of outside of the rule.

Judith McGeary: Yes.

Woman: Okay so are we finished?

Judith McGeary: Let me think how to phrase that, additionally not as a regulatory requirement.
I just want it to be clear that we're somehow inserting language into the rule.

Don Hoenig: Is the seconder okay with that?

(Joelle): Yes.

Don Hoenig: I'm sorry, the chair wasn't right on top of all this, word smiting that's been going on, and thank you Howard.

Judith McGeary: Okay.

Don Hoenig: The chair was day dreaming I guess.

Woman: I have a question, could we have the background all the way available before we vote on it?

Don Hoenig: Sure we can table it if you want to -- does that mean that we're going into tomorrow? We have an agenda for tomorrow that's fairly well timed, right, RJ?

RJ Cabrera: We have some flexibility throughout the day but if we want to revisit the background and the language, we may want to table it and do this by email. I mean that's an option. We have the language we just need to consider the background.

Man: Or we can do it during lunch.

RJ Cabrera: During lunch, yes, you guys can do it during your lunch.

Judith McGeary: RJ looks so pleased.

Don Hoenig: Well that's -- how does the committee feel about that, do you want to table the motion until we get background so that we can read the background or do you want to vote on the motion and then examine the background later tomorrow early.

RJ Cabrera: We'll try to get some copies for you guys to review this evening, how about that?

Judith McGeary: Could be January, long after the common period to close, I mean that's my one concern. I mean, yes, I mean, here, what I'm thinking to clarify is that the vote wouldn't approve whatever background I write. I mean it would be -- there'd be the recommendation that two sentences would be the only thing

literally approved by this vote. I then would work up a background that would be an unofficial, like we did after the March meeting and, you know, we sent it around and people were able to comment on it.

Woman: Just for your information, (Michael) has a piece of information that's important.

Judith McGeary: Okay.

Woman: If you table it you will not be able to vote on it until your next public meeting which is in January or thereabouts.

Judith McGeary: But if it extends past tomorrow.

Woman: Past tomorrow, yes. I just feel like as a representative to take this back to our constituency that those sentences don't explain how and why we got there for a traceability rule. So the background to me is quite helpful to my constituents.

Judith McGeary: (Kay) do you mind working with me through lunch? Deal.

Don Hoenig: All right.

Judith McGeary: Said public procedure to suggest I'll table it and bring it back.

Don Hoenig: If you're willing to do that we can table it for first thing after lunch.

Judith McGeary: Willing table.

Don Hoenig: Okay, I'm not sure what (Robert)'s rule says about that but do we need a motion, do I have a motion to table until after lunch?

Woman: So moved.

Don Hoenig: Second?

Woman: Second.

Don Hoenig: All those in favor?

((Crosstalk))

Don Hoenig: Opposed, same side? Okay, motion's tabled until after lunch, right after lunch, okay, good, wow, yes I need one, all right. As far as I can -- the list that we tentatively came up with on Friday puts brands next, not a controversial topic at all is it? Time how long that takes us. Okay so brands, I have down at a minimum I've got comments from (Max) and Judith on brands but I think I probably got comments on maybe one or two others on brands, maybe (Chuck), no, maybe (Joe) I don't know.

So who wants to start-up the brands discussion? (Max) who, (Charlie), go for it, that end of the table.

((Charlie): Hello, there we go. Okay the brand issue as I see it is relatively simple. For the states that use brands and tattoos I think we just leave brands and/or tattoos as official ID only when agreed on by states and tribes, I think it's that simple. We leave it in that manner, it's a system that's been working for years for those states, so we just leave that up to them and we make it official ID but only when agreed on by states or tribes and there can be reasonable

agreements and different agreements but that will all take care of itself, we don't even have to be concerned with that all that will take care of itself. It's, to me it's that simple.

Woman: I second that, that was well put, I don't think it needs to be difficult, I think that if the system in place that is working and is working with tribes and (Brian) you can weigh in on this too but for tribes and you know as (Neil) was talking about in our last meeting that we had, any agreements just are within the two different, from Point A to Point B and it works.

Don Hoenig: Go ahead (Brian) or (Max) whoever.

Man: Well with me with the tribes, with Dr. (Clark) and Dr. (Wemer) we had several meetings with the tribes in the Western states that they're in and many of the tribal people don't have a problem with this traceability but they do support the tribal -- the brands that they have and the tribes have the capability of creating and some have their own brand ID book. The question was that if individuals doesn't brand, one individual say on the reservation does not have a brand that's registered by the tribe or the state, they would use the, I guess the comment is that they would use those bright tags to tag under the calves before they take them to the sale if it's needed to be done.

And that's, you know, that was giving them the option on not having the brand registered because they only have like maybe two or three calves or cows that they're wanting to send to market if this policy is proposed and enforced. So that's a way for them to get away with it but the tribes do really want the brand to be recognized as official ID working with the state because a lot of the tribal cattle movement is not really, you know, across the whole United States off to the West to the East to the Midwest and so they're, you know, they're supporting this policy but they're still wanting their brand to be recognized

because that's the only kind of identification we have in the West because of the federal lands there, the horse ravis and the BLM grazing permits that we have and also on state grounds so that's really...

Man: Thank you. Well in the state of Washington, Oregon and Idaho to, you know, we would like to keep the branding and regardless what it means so then for identification, you know, to go and come up with, we will keep using it, especially in Washington where 90% of the people there use that and we would like to add to the definition, you know, that any means of identification agreed upon animal health officials in the (unintelligible) even the state or the tribes, you know, should be add to the definition of branding.

Woman: I'd like to make a comment. We don't have branding in North Carolina but one of the advantages that I see to branding being allowed as an official tag is as a sheet producer and having been in the Scrapie program and thinking about tracing that breeding stock, that breeding animal throughout their life span, it is a real bugaboo to try to be able to trace those animals back because of a tag retention over time unless you're using two forms of ID which would be your personal flock ID and the official Scrapie ID, you know, USDA because they changed the tag source and the tag (unintelligible) stay on the ears very well and if you don't have that second tag and you're running animals out on range land or even in my situation where maybe I just run them out but maybe I don't see them but once every two or three months out of 200 had I might lose ten tags in that period of time.

With a brand you're going to -- you're not going to lose this ID of that animal. So I think that it serves a very valuable purpose.

Judith McGeary: I heard an earful from my folks about keeping the brand and the tattoos both forms. One thing my folks liked, you know, we sort of bounced around

different ideas of how do we do this both to respect the issue of the Eastern states and the non-brand states that have trouble accepting brands but still make it as easy as possible for the brand states. What to do basically and opt out version instead of an opt in, the brand is right now official ID, you know, brands and tattoos right now are forms of official ID, you know.

Instead one option would be to say that they're on the list of official ID except as a state, you know, choose just to limit it. So that was the idea that my folks came forward as preferred.

Man: Well the difference I would say Judith is that current official ID is not required to be accepted by all states and under the new rule it would be so that's why I don't like the opt out, only with permission of the state, which they'd be required to accept it.

Man: I would also speak against the opt out, that imposes action and sometimes regulatory action by states is extremely burdensome difficult and straqueidas and so to ask 36 states to opt out to accommodate 14 states that use brands, I think would be inappropriate and so we would certainly not approve that.

Man: Yes I'd echo that.

Don Hoenig: (Jill).

(Jill): 13/14 states is that all?

Don Hoenig: It is.

(Jill): That gives brands but it represents 1/3 of the cattle. It's a system that's been working for over 125 years and to deemphasize the use of brands and impose

a different marking system, a tag system on a system that's already working and all in place, well it's just meeting a lot of resistance out there in the country. I do like Judith's proposal though of asking the states to opt out because it then gives those states the option to consider the merits of using brands.

Perhaps they've been sort of drifting along on an assumption that comes from past traditions and maybe they should rethink about it and particularly say a state like Texas who has brands but they're county registered rather than state registered, Texas might -- should consider going to a state registered brand system.

Don Hoenig: I like that term, drifting along, that's kind of what I've been doing for 25 years, drifting along, status quo. But I will, I mean it is -- it imposes a regulatory -- it says I've got to change my rule, which I'm probably going to have to do anyway but for, you know, 14 states to say you've got to change your rule to no longer, to make brands not official, which I don't think brands are unique ID, they're an ID, I'm not arguing with the success of the brands and if there's a way as (Charlie) says to put something in there and I don't know whether there is, but it's an interesting idea to put under official ID, put brands or tattoos parenthesis with the approval of the state officials end parenthesis, I'm not sure whether that's -- that would be certainly a possibility to put in as a comment but do you have any comment on that (Neil) or on behalf of (John Clifford) or (John Wemer) as to -- I know (John Clifford) has stated emphatically in the past that they prefer not to do that but I don't want to speak for him either.

(Neil): All I can say is make the comment -- I don't think I can really provide/suggest an opinion and I think that's how I interpreted your question.

Don Hoenig: Thanks.

Man: I would just say, I think (Charlie)'s idea is a great one it basically doesn't change what's happening now, it does address the concerns of those who want the word official for legal purposes which is not do with animal health, but it doesn't preempt state law so I think it's a good solution if they can work out that, it takes away the word official being always acceptable everywhere you just have a new class of official that's accepted in all 50 states, I think it's a good compromise (Charlie).

Don Hoenig: So then if you -- I'm looking at the rule, if anybody has a copy of the rule, it's Section 90.4, it talks about official ID for cattle and bison. Right now it has one cattle and bison then i an official ear tag or ii group lot identification when a group lot of identification number may be used and you're proposing to put iii a brand or tattoo and/or tattoo to when...

Man: Only when agreed on by states and tribes.

Judith McGeary: I don't see any legal barrier to that. I mean I was going to say on the second page of my memo I proposed language on the opt out thing and I think if you turn it, you can turn it into the opt in in the exact same format.

Man: And most of these agreements we're talking about are already in place. I mean they're already in place between these states. So this is something that's already working, already in place, all we're doing is making brands official ID and if there's a lot of people that think there's longitude the legality of brands to keep them an official ID, plus the comfort level of the states that rely on brands if we leave them official ID you reduce the opposition to this rule.

Judith McGeary: Can I bring up two related pieces that I've mentioned in the buy-brand memo as additional -- so related to this. One is one comment I got back from people regardless of opt in, opt out, however we do it, was the question of multi-lateral agreements and enabling states -- just making it explicit that it could be for instance Wyoming, Montana and both Dakota's all agree in one agreement, it doesn't have to be a bilateral to give more flexibility.

And the other one was while we were looking at the state agreement thing, there's some really weird language in the fourth section which I realize is a little off topic, but while we were on state agreements it caught our eyes. Where cattle it says it's the receiving state, the shipping and receiving state or tribe, for some reason with horses it's all of the states or tribes involved in the movement.

Man: I probably can -- my guess is, and I hadn't studied it in detail, to recognize horse people who move around constantly and don't have to get up, you help pay for everywhere they go several groups of states in the South and other places have gotten a six month movement permit and my guess is that language...

Judith McGeary: Was because...

Man: ...was made to address to allow that to continue.

Judith McGeary: Okay.

Man: With groups of states.

Judith McGeary: That makes sense to me but I am worried that the language could also create situations like if I'm driving from Texas to North Carolina somehow I've got

to get permission from every state in-between also so perhaps if we did this specific explicit multi-lateral agreement provision that takes care of that concern and we'd be able to make the horse language consistent with the cattle language.

And that might need to be a separate recommendation I just wanted to bring it up because I brought it up in the brand memo. I'm not trying to complicate the brand issue (Charlie).

Man: Keep it safe, keep it safe.

Man: Yes. I know we had some discussion about this before but I'm sitting here I'm kind of scratching my head and cannot remember why USDA did not want to use brands as official ID, what was the reason.

Man: I think it was because they'd have to accept anything listed as official ID.

Man: Oh.

Judith McGeary: Yeah, it's their preemption clause that they wrote on.

Don Hoenig: That's why some of the states, some of us who don't use brands as official ID had some, you know, had some issues with it because if it was included as official ID, then it would make us accept it as official ID and to be honest we really don't want to because we have a system -- also a system that works, we require individual ID on cattle coming in so we didn't want people to say to us well now you've got to have brands. Brands are great, put a tag and two for us.

Well it seems like it would.

Man: That's the goal here, just leave it open for every state to make their own decision on how they're going to handle this.

Don Hoenig: Do you have language -- did you put language in that? (Charlie) do you want to.

((Crosstalk))

Man: Brand and/or tattoos only when agreed on by states and tribes.

((Crosstalk))

Man: Oh, yes.

Man: What I've heard is that it's adding it to Section 90.4, for one it will be at number iii, or section iii.

Don Hoenig: And I think that would -- that language would allow multi-states too.

Judith McGeary: I'd love to see us make it explicit, you know, and USDA's lawyers may decide that it's not necessary, but I look at this and I'd love to see a recommendation that they'd at least consider making it explicit for multi-lateral agreements.

((Crosstalk))

Man: ...that we don't have too much trouble as you'll notice there's nowhere in this language about enforcement, it's all at the state level so if we agree among ourselves we're not going to prosecute ourselves. There's no enforcement in this -- there's nothing about what happens if you don't do any of this.

Judith McGeary: That's one thing that gives me heartburn boy.

Man: You can also say when mutually agreed upon by two or more states.

((Crosstalk))

Judith McGeary: Oh, yes, I like that. And/or tattoo when mutually agreed upon...

Man: By two or more states.

Judith McGeary: Yes.

Man: Right.

Judith McGeary: Hey we might actually get this done before lunch.

Man: Okay.

Judith McGeary: And tribes, yes.

Man: Yes upon is good, I like upon.

Don Hoenig: Two prepositions in a row.

((Crosstalk))

Don Hoenig: I've turned into my eighth grade English teacher. Hey, is that a motion.

Man: Do we have a motion.

Don Hoenig: (Charlie).

(Charlie): I make the motion that we, that a brand or tattoo only when mutually agreed on by two or more states or tribes become official ID.

Don Hoenig: Second by (Jill) or (Chuck). Cindy you had a comment or did you.

Cindy Wolf: Does this have any impact on TB or Brucellosis? It's hard to kind of have this rule memorized and how they intertwine. It doesn't does it?

Man: I wouldn't think it would have -- you wouldn't think it would have any more impact than it does at this time because those programs are being done at this time under these rules. These are existing rules basically.

Man: Any program, disease, regulation that supersedes the traceability.

Man: My recollection is that the Brucellosis TB uses official individual identification which is a different definition.

Don Hoenig: Okay well we have a motion and a second, is there more discussion? All those in favor signify by saying aye.

((Crosstalk))

Don Hoenig: Opposed same sign.

((Crosstalk))

Woman: Two minutes to noon and it's unanimous.

Don Hoenig: We're going to lunch, please come back in an hour, 1:00.

Man: So let's in the notes, for the record note that that...

Recording: You will now be placed into conference.

Coordinator: Okay the recordings are going again, you may resume.

Woman: Thank you very much.

((Crosstalk))

Woman: Okay and looking around the room it looks like we have the majority of the members back so we'll resume. I think Judith would like you to look up at the board here and read the writing that she prepared over lunchtime; you're interested in some feedback.

Judith McGeary: Yes.

Man: I wasn't sure which point you wanted comment but I'll make one. I think it's a mistake to pass this motion. It is a simple motion but it's not that productive. NPIP is a great disease control program for specific diseases but it's not in and of itself a traceability program. Exchanging NPIP for all the traceability provisions I believe will make the poultry industry and the swine industry vulnerable to avian influenza among other things.

I think the provisions could be simplified and address some of the concerns in the background if dynamic group ID were explained and provided for. I believe it could solve troubling situations with small flock poultry.

Woman: How you doing (Kay) with that, do you need a repeat? Is that good Dr. (Mather)? Okay. Thank you (Kay).

Don Hoenig: So just for everyone to clarify, we're back in the discussion stage of this recommendation and Judith drafted the background statement, did you have help doing that or? Okay. So other comments on either the background or the recommendation? Can you just slide up the recommendation again?

Woman: It's up on the screen now.

Don Hoenig: I can't see the highlighted, the yellow highlighted. There we go.

Judith McGeary: I was waiting until folks had a chance to read the background. What I did was in response to the questions, since the recommendation didn't seem too completely clear, I did change the language of the recommendation just slightly to try to address questions that had been asked about the recommendation.

Don Hoenig: Other comments on the -- yes, (Max).

Judith McGeary: Yes but I think all of them went off during break.

(Max): What do you think if we move on and we leave this for later on. In the meantime we can be thinking, maybe we come back with a better decision that we keep grinding the same thing and we're going nowhere.

Judith McGeary: My take on it is I don't think that there's a good solution on a group ID, there certainly can be changes made to make it less bad, but the bottom line is particularly when you're looking at incredible diversity of poultry operations

from not just the small farms that we've been talking about here, but the urban poultry movement.

I think that really new regulatory requirements are just -- are going to be counterproductive because of the issue of the black markets. So I have to say I'd like to go ahead and put this to a vote and, you know, see where that goes.

Don Hoenig: Others?

Woman: I have a question on if we scroll up to a bullet point toward the top, I don't really understand when the animals go to slaughter, presumably we're referring to mostly broilers, at least when I do it, I know how many I take, I know the date I take them and I don't really -- I don't have a feel for why this is a hard one to include and why it's a challenge.

Because I bring them back, their labeled, they've got a date on them, they've got my USDA plant number on them, they've got the registered farm name on them. So help me with that if you would.

Judith McGeary: If that were the only issue, you're right, we could certainly change the definition of group ID for poultry, I'm trying to, you know, not mess with the pork, but we could certainly change the definition of group ID to make it feasible for that one issue. The problem is that's not the only issue, that's sort of why I raised all of those and by the time we start trying to figure out how to we redefine group ID so we cover that and we cover the day old chicks and we figure out what we're doing with these live bird markets and how, you know, that we heard so much about. It's that combination of them that is what makes it such a complicated situation.

Woman: So where I'm troubled with this is I -- going up to those bullets again, when I buy day old chicks I have a transaction, so I can keep the records there. When I take broilers and resell them again, I have a transaction, I can keep records there.

I think almost every species will have these examples, like the live bird market that are challenges. I'll give you the example of the sheep and goat trade, you know, where somebody comes and wants to buy a few head live or butcher them there and those are difficult to keep track of. And so where we start making these exceptions for one species, where do we stop for the other species. So that troubles me a bit as to what kind of message are we sending out as an advisory group.

I recognize all of the challenges and really appreciate all of the explanations, it's just a larger issue for me and so I would be a lot more comfortable with how NPIP helps us with the live bird market than I am with those first two bullet points because I think those are -- we have the records, it's just a factor of deciding to keep track of it.

Genell Pridgen: This is Genell. But according to the way the proposed rule is written now and I'm not sure where you're bringing your chicks in from, are they only coming from one hatchery? You're not allowed to do, according to the way it's written now, you're not allowed to do group ID and it doesn't indicate anything in there on dynamic ID for mixed lots coming in.

You know I've got them coming in from three different hatcheries. Yes, I've got records of the three different hatcheries I got them from and yes when I go to the slaughter house they're going to know that those chicks, those birds that I took came from my farm and I have a lot, lot 1551 and if there's a problem, if they find a problem then they're going to come back to me and say Genell

you seem to have a problem with your chickens. So then, you know, I may know that okay those chicks came out of three different hatcheries and they can -- through MPIP they can then go back and find out if there's been problems with other hatcheries.

But the problem is according to the way the proposed rule is written, there's nothing that allows for that because I'm using multiple hatcheries and the rule is on the receiver as well as the sender, I've got to individually ID those animals and I don't see a way to do that. He's already indicated that those -- they try back tags they tried spraying them on this stuff and that's not 100% and I've seen this 100% issue in sheep and sheep is a whole lot easier to tag than a chicken.

Woman: Well that's why I don't understand why group lot ID wouldn't work and so from an epidemiological standpoint like you say they're going to come back to you and then there's going to be additional traces from there but really what we just needed to know is that it came from your premise and they originated from x number of other premises and it comes back to is a short or long incubation disease and so do they need to stop at your place or do they need to trace back to where they were born, or hatched I guess the right word.

So that's where -- this is a proposed rule and this what we're doing is going -- that's one path we can take is going down this path and another path would be we could say we recommend group lot ID for, I'm just throwing it out there, for bullet one and two and for bullet three we recommend going down this path.

Fidelis (Hegngi): I have a -- this is the antiatic provision. When it comes to MPIP and birds moving to processing that is already in common, this is a provision which is (unintelligible) already been covered, I don't want to...

Don Hoenig: Please be brief.

Fidelis (Hegngi): If you look at it in 145.5 so it talks about participation, okay, so it describes to you how things move to slaughter. If you go to 146.11 it describes to you the process of the inspection and then how (unintelligible) get into it, everything is covered on how things go to processing, so I just want to make the correction that when it comes to NPIP, all that has been covered, okay, they've been doing this now for 75 years.

Okay so it's been covered in terms of how they can trace any issue that defining the processing plan to where those birds can go, okay. If they're participating in NPIP, yes. It's been covered. We preach this to our trading partners and just again to add to the committee, most countries in the world won't try this program, okay, part of my job for probably almost four years is to travel to so many countries to teach them about the slaughter so I just wanted to share that.

Don Hoenig: Thanks (Fidel). (Chuck)?

(Chuck): Question if (Neil)'s comment earlier that individual disease programs supersede the animal disease traceability rule would that indicate that movement from an MPIP hatchery according to MPIP rules would relieve Genell of that requirement to individually identify those day old chicks. (Neil) that was kind of sneaking up on you, you had mentioned that poultry, that individual disease programs take precedence.

Judith McGeary: My guess is that they take precedence in terms of additional requirements not relieving, but (Neil).

(Neil): So if there's additional requirements those either one's that have been put in place, that's a good interpretation. So again in the regulation it makes reference to...

Judith McGeary: (Neil) mike.

(Neil): In the traceability regulation it makes reference to 9CFR Parts 145 to 147 so I don't know if the answer to that question is covered.

Woman: Thank you (Neil).

(John Wemer): This is (John Weimer), I think -- the intent was that the Section 90 would establish basic regulations, minimum regulations and if there were any extra more stringent regulations required by the program they would supersede that.

Judith McGeary: I'd like and honestly I don't want to take up our entire afternoon on this but so I'll try to stop talking soon, I do want to just sort of raise, try to focus on one question, which to me the underlying question is, the evidence that there's a problem that additional traceability is the answer to in poultry and whether the pros outweigh the cons on this, it's not -- I'm not trying to make a broad statement about livestock traceability, I'm not and I don't intend -- I'm happy for this to go on record that this is not a statement generally about livestock traceability.

I'm talking about poultry, what's worked so far, where we know the gaps are and there are gaps particularly in outreach and education and people knowing about their options under MPIP and people knowing about besides MPIP what are their options if something seems off with their flock. You know we know there are problems, I've yet to see anything that, you know, additional

traceability requirements are the answers to those for poultry and I really do want to try to limit that focus.

Howard Hill: You know our industry lost millions of millions of dollars with the influenza that was labeled swine influenza, we share this disease with the poultry industry, we just want to make sure that we have as -- without costing the industry a ton of money, we have the ability to trace back diseases and I -- it's been a while since I read the poultry part, but I keep hearing that you want -- you think you have to identify day old chicks individually. I don't remember reading that, it says you have to identify them but it doesn't say you have to identify the individual chick.

You can use a group ID in that and why there's so much resistance here to using group ID I just -- it works, it, you know, I hear that NPIP works. We've used group ID for years and it works and it doesn't matter if it's a chicken or a pig, it doesn't cost you anything, you're not putting an ear tag in a chicken, we're not putting an ear tag in a pig.

Woman: To follow-up on what Howard just said, I think that the concern we have from our industry is what I'm hearing this resolution say is that if it passes the recommendation is that there is no traceability and no premises identification from these backyard flocks because it's difficult to have a group lot ID. I would suggest maybe we look and say how can we work on a recommendation to make a group lot identification system work for those first two bullet points that is usable for those situations where you mix up groups of animals. I mean I understand you've got mixed groups, you know, how can you use the existing tools to make a usable premises or traceability system with those tools.

Judith McGeary: And (Jill) I know you want to say, I just want to say one thing, here's the thing, if you're talking -- first of all this rule as it's written doesn't include premises ID so this is not, we're not somehow getting rid of premises ID with this resolution, premises ID is not in this rule. We're talking about, you know, tagging of animal or group ID and if you, I mean, to bring up premises ID I can tell you the urban chicken owners there will be a revolution, you want to see opposition to this rule and you want to see people breaking the law left and right, bring up -- tell people that because they've got ten backyard chickens in their suburban home that they've got to register and you'll have a black market the likes of which you wouldn't believe.

Howard Hill: I don't think -- NPIP has group lot ID. I mean a thousand chicks come from Murray McMurray to an individual flock owner in my state, I get the 9-3, to me that's group lot ID, they are not all identified but if I have a problem with them I can -- I know where they are. I think what we're talking about with this issue is multiple hatcheries coming to one farm, they lose that, then they go someplace else across state lines and what I'm trying to figure out and I haven't figured out yet with this proposed rule, even with all this discussion, is how the proposed rule is going to change what we do now and I can't figure it out which is why I my almost default reaction is go back to MPIP, MPIP works, that may be a very simplistic approach to it but I'm telling you MPIP has worked.

Now it's been augmented by some very strict state rules. New York has strict rules on birds going into New York City that are not in MPIP and are not part of it but were added on by New York because they were having a problem. If I had that in my state I would probably do that. That's our prerogative as states, so that's not MPIP, but it's an additional requirement. I'm trying to figure out how this rule changes -- adds onto something that kind of already

works and that has managed to control diseases in this country without, you know, a lot of additional ID.

Man: It's known diseases. You're talking about traceability, you're not talking about necessarily diseases that we know today. I mean look at what's happened in the influenza world. We're getting new viruses all the time. You can have a great control program that attacks the diseases that you've got, that you're concerned about as a state veterinarian, what about the disease you don't know that's going to be there next year. If you have no traceability how are you going to attack that disease?

Howard Hill: And I'm not -- I agree with you on that. I'm in total agreement because we're dealing with one of those situations right now, we're not trying to trace it out but we're dealing with it, you know, but what I am still trying to go back to is what this -- what additional requirements this rule would add onto poultry that we don't already have that may or may not be needed.

Judith McGeary: I think (Gilles) has something.

Don Hoenig: (Gilles)?

(Jill): Well really just to, you know, thank (Donald) that's what I was going to mention and you said it a lot better than I did but a certificate of veterinary inspection is de facto a group ID. It's got the owners name and address and everything there so it is a group ID, why do we need to go beyond that and go beyond a program that already works.

Howard Hill: Well just to clarify that also the 9-3 is not an ICVI it's -- I don't know what you call it an ownership or something, it's not signed -- it doesn't have to be signed by a veterinarian but it's a document.

(Jill): But it does require that 10% of the bird, in your state anyway, have been tested and those animals have been individually banded.

Judith McGeary: Can I suggest we've got a lot to cover this afternoon, can I suggest, I'd like to make the motion formally, call for a vote.

Don Hoenig: Call in the question.

Judith McGeary: Call in the question and we'll go from there.

Don Hoenig: Calling the question -- does calling the question -- does calling the question require a vote, it doesn't require a second I don't think. I don't think -- does it require a vote?

Judith McGeary: It does.

Don Hoenig: Is there a second to calling the question?

Judith McGeary: We never quite got to you Don tabling okay so do I move to untable it would that be the appropriate?

Don Hoenig: Probably.

Judith McGeary: So I move to untable...

Don Hoenig: Second.

Judith McGeary: ...the recommendation.

Don Hoenig: We've been discussing it. Second?

Woman: Second.

Don Hoenig: All those in favor signify by saying, "Aye." Aye. All those opposed same sign. Okay. So we untabled it. Now we have a motion to move the question, there was a second. All those in favor signify by saying, "Aye."

Woman: Aye.

Woman: Aye.

Man: Aye.

Man: Opposed same sign. So we're going to vote on it now. All those in favor of the recommendation raise your hands. Opposed? Motion carries. Okay. Sure. Yes, the question was dissenting opinions. I think that's very appropriate. So you can draft a dissenting opinion, it doesn't need to be voted on.

Woman: Yes we actually, specifically we've got a decision making mapping document that - where it's not a consensus to dissenting issue will be documented in the official meeting minutes including the background and certainly we didn't address the people writing their own dissenting, I certainly agree with (Don) that it's appropriate.

Man: Okay. Who thought poultry was going to be that...

Man: Can we...

Man: ...pretentious. Yes. It's a 13 to 4 vote.

Woman: I had three no's over here, I missed the fourth no.

Man: Were there any abstentions?

Man: (David).

Woman: I got yours.

Man: I'm sorry, I didn't say that to begin with abstentions.

Woman: (Boyd) and (John).

Man: Dr. (Fisher) and Dr. (Boyd); 13, 4, 2, yes. So on to feeder cattle. And I have at least three who weighed in on feeder cattle. It was (Gilles), (Charlie) and (Chuck), there may have been others.

I'm sorry if I didn't get you but why don't we open the discussion of feeder cattle at 1:32 pm with one of those individuals or anyone else if they want to step in first, weighing in.

(Charlie) I'd love to hear from you because you're like the answer man here.

You got some solution to the feeder cattle issue, we'd all love to hear it.

(Gilles) - (Gilles) you're going to go for it?

(Gilles): I was impressed with (Charlie)'s way of going at it and he's right, it's really very simple. Let us just recommend that Phase 2 -- how is it worded here in the memo? That (unintelligible) just pulls it's feeder cattle requirement out of Phase 2 and deals with it with a separate rule making.

And I understand that there is another rule making process already in place that's going to set the standards of practice for this. And so we really don't need to argue about this all afternoon, just simply recommend that they not have Phase 2 for feeder cattle.

Man: So the wording of that (Kay) which almost could be a motion was what?

Man: Yes, I could restate it the way we wrote it in the memo -- remove the provisions for Phase 2 in the proposed rule. And follow on with once breeding cattle has been identified -- no don't do the follow-on. Yes, just type it the way it is there.

Judith McGeary: I do think there's a second half of that confuses the way the memo reads because the memo reference the internal stuff maybe...

Man: He's writing it up there.

Judith McGeary: You're writing it. Okay, that they would remove the provisions from Phase 2 proposed rule and address, you know, feeder cattle in a separate rule making.

((Crosstalk))

Man: You wanted to include it in the existing plan rule making for the standards, right?

Man: Well, they can or completely separate.

(Boyd): And as I understand you just to be sure I'm clear what you're saying is we're not debating now the if of feeders, we're debating the how and the when standards?

And nothing in this action would preempt - would require states to roll back existing standards or preempt states from taking their own actions. And I don't see anything in there that would do that.

Man: Nothing at all.

Man: (Neil) just for the background again, can you give us a synopsis of the feeder cattle provision in the rule? Just quickly tell us what we're talking about here and what (Gilles) would be suggesting?

(Neil): My understanding is that the - these cattle over or under 18 months of age would be exempt permanently from official ID requirement, is what he is...

Judith McGeary: What he's proposing, yes I think the question was could you summarize the current proposed rule?

(Neil): Okay. The current proposed rule exempts that age of cattle in Phase 1 and we would establish an assessment of Phase 1 and through an evaluation process through public notice evaluate the workability of how well the traceability efforts are working during Phase 1, specifically, for those cattle that would move interstate that would require official ID.

How is the traceability outcome working? Are they effective? Are we increasing tracing capability, working with an advisory group that would be made up of representatives from sectors of the industry most directly or specifically affected by the identification of the feeder cattle, if you will?

And so there's three proposed rules: one, an indication of we are starting the assessment process. This is how we're going to do the evaluation working with the advisory group.

A second public notice after the assessment is done. If the outcome reflects that the industry's ready to move forward, this is the result of the assessment comment.

And then the third step is an evaluation of those comments and if USDA considers to move forward with bringing that group of cattle into the official ID requirement.

A third public notice indicating that this is what USDA plans to do on a specific date based on the administration of that assessment process, that help?

Man: That's great, thanks (Neil). Other input on the feeder cattle issue?

(Boyd): I'm a little unclear from what (Neil) said. The act that (Gilles) is proposing does that specifically just addressed what I talked about earlier? I mean I thought I heard (Neil) say something about taking this outward -- leave feeder cattle out of permanently exempted I guess.

You know, the process and he described an orderly one of the rule making process since we've got one anyway to development the highs, the how's and the when's but as a state animal health official I don't want -- I'm not in favor of anything that leaves it open that we're not sure we need to ever include feeders and we voted on that this morning before the rule.

And so maybe it's just me being a little thick. I want to be clear on what we're considering, does it do that?

Man: (Max)?

(Max): We in the state of Washington we believe all the animals need to be identified very simple feeders too.

Man: So you're in favor of the current proposed rule then which would phase in feeder cattle?

(Max): They told us that's what we want if we're going to do it we need to do it all the way. Otherwise, you know, we're wasting our time.

(Neil): I would just take this opportunity to explain my comments. On the lower right-hand side of Page 83, the third paragraph and the bottom proposed rule specifically uses spears and spade heifers as an example of exempt animals from being listed on the ICVI.

That caused discussion in our cattle ID group. If did that imply the sexually intact heifers would be no longer exempt when we reach that point, based on that and the discussion at U.S. Animal Health Association with USDA personnel, I was led to believe that spade, excuse me, that sexually intact heifers would be included in the requirements for individually listing IDs on the ICVI.

That's been clarified on a conference call with the cattle ID group, USDA has said that is not an issue, that is not part of the plan and that is not what they intend or expect to do.

I would still like for the record to have the information that (Charlie Rogers) and I put together showing the small percentage of feeder heifers that would

actually go into the breeding herd to revalidate the fact that we do not need to individually list the identification of the heifers under 18 months of age on an ICVI.

So my comment was based on an obvious misunderstanding. It's been clarified, but we do have the documentation to support the lack of propriety in recording the individual animal ID number on ICVIs for heifers under 18 months of age. Is that fair (Charlie)?

(Charlie): Fair enough. Sure.

Judith McGeary: I'd like to speak maybe a moment to (Boyd)'s question, you know, (Gilles) can correct me if he's got a different understanding of what this means. I think it is -- but first I think even technically under the proposed rule it is theoretically a question as to whether feeder cattle will ever get identified depends on the assessment done internally.

You know, anytime we propose a separate rule making there's always the possibility it doesn't happen. So, you know, I wouldn't be comfortable with saying, "Absolutely all this is how and when and we know feeder cattle will be identified."

At the same time I don't think that this recommendation carries the -- we shouldn't do it -- that's my personal thing, I don't think we should. But the recommendation I think is a process focused recommendation of feeder cattle is a complicated issue.

It raises different problems than tagging the breeding heard and that's something that should be subject to the full lotus and comment process where people can really focus on that issue and grapple with the pros and the cons in

the how in a way that we can't focus on it when it's wrapped up in this bigger package.

Man: Others?

(Charlie): Well, I think Judith's right. I mean that issue needs to be in a separate rule making process so everybody can focus their comments on that issue. Also, there is going to be another rule making because we do have to have a rule making process to determine the standards.

So at some point there's already another rule making process. Do we include feeder cattle at that point? I mean I don't know but - but I'm saying is there is another - there will be another rule making process so the opportunity will be there.

Cindy Wolf: (John)?

(John): Sorry Cindy.

Cindy Wolf: How are states looking at it? And my frame of reference is that the in the scraping program the ewe lambs going into feed lots were federally thought that they were going to be exempt.

But the state said, "No, we don't want them slipping out of the feed lots in their breeding herds." So how are -- what's the national assembly say?

Man: Well, the national assembly -- I'll pass around while you're were seeing that letter we have a copy of it -- but I think the national assembly went on record a couple of weeks ago endorsing the overall concept of the rule which includes feeder cattle.

So to me I'm comfortable with that as a state animal health official. It's in there, it's going to be addressed, it's going to be rule making, we're going to have another opportunity, we're going to have another shot at it.

So to take it out to me is a step backwards and I think that - I can't speak for the 49 other colleagues but if you read that letter, I think you can read between the lines and say that, "Well, not everybody's comfortable with every provision of this proposed rule." We all think it represents a step in the right direction with animal ID in this country which is way more than we've got.

And I know, you know, we've sat here and kind of debated the poultry and the brands and this now and we have a couple of other topics to go. But in general I think with -- specifically with respect to the feeder cattle, I -- and it sounds like all of my colleagues are comfortable with the fact that this is in the rule and having it in the rule means it's going to be addressed at some point in the future.

If we take that out of the rule in my mind, it's a step backwards.

Judith McGeary: One thing on the state question is I would - I do want to point on the preemption provision that's in the rule it specifically provides at although the states preempted on the official - the type of official ID, you know, this is where we went with the brands, but the states and tribes may require covered live stocks that are exempt from official ID requirement to be officially identified for interstate movement.

So even if we pulled feeder cattle out from this rule and left it for a separate rule making, that doesn't - that wouldn't tie the hands of the states if individual states believe more is needed.

Man: (Gilles)?

(Gilles): If we go ahead as is under the proposed rule, that gives the USDA authority to include feeder cattle in whatever manner that they decide to and there will not be an opportunity for public comment on the rules that USDA will eventually publish.

And if we then ask them to go to it separate rule making process or include it in the standards rule making, this gives us a chance to, you know, address in detail all of the issues.

Now this afternoon if you want to get into all of the details of why I at least and quite a number of my producers in Rocky Mountain West are opposed to future cattle, we can get into all of that.

And, you know, to start with we've gotten this far without requiring that feeder cattle being individually IDed. We licked, we licked tuberculosis until we re-introduced all that again.

You know, should also consider that even under the rule without anything already about 55% of the feeder cattle will be individually IDed, a third of them with brands and the other, you know, 25% overall are from the dairy industry and they will be individually IDed.

So when we couple all of that with the - the funding issues that this is going to cause the states what we're really ending up with is putting up a permanent mandate on producers to do something for no damn reason.

Man: Just to clarify (Neil) once again, I'm under the impression that if you propose to include feeder cattle at some point in the future that's going to be a rule - proposed rule for public comment?

(Neil): The current proposed rule makes reference to an assessment process which goes through three federal registered notices that allow for comment, not rule making.

When it outlined in the proposed rule it was not technically rule making, it's a due process where there's a process that includes three federal registered notices explaining why USDA how they would carry out the assessment?

Man: And then to include feeder cattle at some point in the future is that all that's necessary?

(Neil): Those three processes would have to public -- the federal registered notices would have to be carried out, again you probably have different pages but the way it's written is its certainly with the cooperative efforts of an advisory group.

And that only when there's, you know, the intent is that when there's industry support the first phase is working well, the workability's there, there's industry support especially by those most directly effected of the official ID of these cattle that's documented, that hears the outcome of our evaluation, that would be again provided publicly for comment.

So there's certainly is a due process that's written in the preamble of how the assessment would be carried out. You know, I don't think it's the -- I know it's not the intent to say USDA will period, but it's will through how the

assessment process is worked out to make sure that there's readiness, workability, support to move forward with that second phase.

(Nicky): (Neil) clarify...

Man: (Nicky) can you use the microphone? Thanks.

(Nicky): Just wondering what the evaluation will be based on or starting at which starting point in this Phase 2?

(Neil): You know, again by the time we would consider the assessment, the first public notice would provide those details. Here's -- we're doing the assessment and this is how we're going to evaluate the workability, the tracing capabilities, that is not specifically defined at this point and time.

But we would want to work with the advisory working group that's referenced in that process on -- we're going to do the assessment and this is specifically how we're going to carry it out.

And then after it's conducted and it looks like there is a readiness to move forward, the outcome of that assessment would be published. So again, it's certainly intended to be a very cooperative effort in working out those processes with stakeholders.

Again, especially those that would be most -- directly affected by the inclusion of feeder cattle for official ID.

(Charlie): (Neil) when you talk about a trigger being 70%, that's 70% of what?

(Neil): There's a lot of discussion on what is that number specifically? And I -- the best way I can explain it is it's a statistically sound number of animals that would have moved in interstate in a distribution that reflects that population are identified at that level whether it's a 1,000 or 10,000 I can't say.

But that's the intent so that we're not evaluating 500 head of dairy cattle that moved interstate when they were officially identified but in proportion of the breeding age animals. What percent of the populations beef, dairy and that analysis would be reflective of a statistically sound volume, what number that reflects the distribution of the population that would move in interstate and require official ID.

(Charlie): So is that animals tagged or is that animals that are - that are represent a group that's traced back to the -- is that a trace back or is that just animals tag?

(Neil): That's specific requirement is based on let's say -- I'm not using this as a proposed volume -- but let's say 10,000 head are to be examined that moved interstate that required official ID where 70% of those in fact officially IDed.

It's specific to officially IDed, the assessment also in the write-up makes reference to having factors that would ensure that the outcomes of Phase 1 has had a positive contribution to the traceability and I think that comes from some of the comments in the earlier meetings that also has - not also, but probably more importantly is part of the assessment.

There's no need to identify more cattle if the potential gain that we expected isn't showing results in Phase 1. And if it is and the marketplace is ready, then consider using those same tools for the additional population that's being discussed.

(John Weimers): (Neil) this is (John Weimers), can I jump in here a little bit here too? I think one of the questions is, is what's that denominator? You said 70% of what? And I think part of that is the role of that advisory committee - that advisory group that helps us look at that denominator to decide is that appropriate number to use.

And so we haven't at this point clearly decided what that denominator should be. And we're relying on that advisory group and others to help us very clearly identify that and found out what denominators are appropriate.

So that's a good question and that's part of the assessment is finding out are we analyzing this situation correctly? Are we going down the right road? Are we looking at economic factors involved? Are we looking at all the things that go into deciding if this is a workable solution or not?

(Charlie): Well, my stakeholders still wonder what that 70% means? I mean, if it's just animals tagged - if its animals tagged, the day the rule is implemented, you're going to be way over 70% because the cattle that moved without being tagged nobody's going to tell you about those.

Man: Howard?

Howard Hill: Yes, (Charlie), this is a question for you and it goes back to (Judy)'s comment about we still would have -- if we didn't have a federal requirement, we would still have state's could make that decision.

And just preface this by saying that in the state of Iowa and Missouri we've had some interpretation by state DOT officials that have impacted producers as to where they now sell their cattle because of getting tickets coming in to certain states shall I say.

So my question to you is, if we had it by state -- and I'll use your state of New Mexico -- what would happen to your business if New Mexico had the - had this requirement and all your surrounding states didn't? Would that impact your business or not?

(Charlie): Absolutely, it would. I mean so don't...

Howard Hill: I mean isn't that a little bit of a - a red herring for somebody in your business that you could have states that would have these different requirements rather than national requirements.

I mean it looks like it would be a bad deal if that happened for...

(Charlie): Well, we really won't see it any different. I mean there's - every state can still have its own requirements on and above whatever we're requiring here. So -- and I'm not necessarily saying there's not a point and time that feeder cattle don't need to be involved in the program.

But at think at this time we need a program that's going to function - that's going to function to its highest level before we even think about implementing feeder cattle into that program.

And if we're not -- we want to be careful about the trigger and, you know, okay, let's just go ahead and do it now. Well, we need to know we're ready to do it.

In a separate rule making process will take us there, we'll know we're ready if we use a separate rule making process to do that.

Howard Hill: I'm just saying you don't want to sign a blank check to the USDA on this thing is what you're saying right?

(Charlie): That's pretty close.

Howard Hill: Yes. And I can understand that but I don't know. It just depends on how much confidence you have in them involving the cattlemen in this assessment program. So...

Man: Judith?

Judith McGeary: A couple of -- I mean right now we already have that in Texas in terms of state requirements. You know, Texas has a requirement for tick testing and tagging before they come in.

I'm sure that has caused probably some out of state producers to, you know, think about whether to bring cattle into Texas. I haven't heard from our Texas ranchers that that's caused a problem with the business, that that's caused a problem.

Well, but I mean what I'm saying and we have it now. I mean this is where we are. I'm not saying they haven't complained about the trick but I'm saying in terms of hearing, "Well, geez no one wants to do business with us anymore." You know, that's not what I'm hearing and it's where we are now, rather than and let me also just say it's where we are now.

And it's where we would be under this rule. We're still -- whatever happens states will be able -- states can now and states will be able to add additional requirements.

And it's up to the cattlemen and the owners in those states to go talk with their animal, you know, our animal health commission and say, "Please don't do that because you're going to screw with out businesses."

I do want to say I'm really worried about the trigger and, you know, when I look at -- the question about what the denominator is, unfortunately I do think it's clear in this rule.

The actual language of the proposed rule, the chart says and this is the language of the proposed rule: Is that there's a 70% rate of compliance with those requirements for all classes of cattle that are subject to official identification requirements in the initial phase.

So what we're dealing with here is the initial phase is cattle over 18 months, dairy cattle and show cattle to shorten it a little bit. When 70% of those cattle are tagged that becomes the trigger point.

Well wait, so that means we're legally required to tag all those animals and all you want is 70% compliance with a legal requirement and then we're going to go, you know, start looking at the next phase.

That, you know, that seems awfully quick and if we can't - I mean if there's going to be - if people think there's going to be a long period of time to even get to 70% compliance with the first set of legal requirements that in itself should be a pause.

You know, if your answer is it's going to take us years to get 70% compliance with tagging our breeding cattle, dairy cattle and show cattle, wow.

You know, that indicates it's a lot big of a burden and a lot bigger of a project and we'd even be talking about.

Man: (Gilles)?

(Gilles): My reading on the situation is that there's a general consensus among state holders all across the nation to go ahead with cattle over 18 months. Okay. I don't think you're going to get much blowback. You include the feeder cattle, it's going to come in a lot of negative comments to USDA.

It's going to cause them to scrutinize and make, you know, question a lot of the different provision in this proposed rule. And it just -- it's causing a complication on moving ahead with a traceability program.

And, you know, just really better off to postpone it and deal with it separately and be able to simply talk about the merits or demerits of identifying feeder cattle.

Man: (Max)?

(Max): Tell me something, do you think the cattle and the feed log they are exempt from getting any diseases? We need to know where they're coming. You know, I don't see the point to go through all this and then we're going to deliver a group of cattle without being identified, just simply makes no sense to me.

Yes, it's easy to do in the first line, the cattle when they get there, they get injected and tagged and whatever. You could identify anything going in there and out of there is the same way.

(Gilles): But (Max), the requirement in this rule is not on the feed lot, it's upon you and I. And let me tell you I'm a little bit tired today because I spent the weekend gathering cattle in the Missouri breaks and shipping them.

Now let me tell you there was absolutely no time in this weekend to put in any ear tags in those calves.

(Max): When they get to the feed lot...

(Gilles): Well, but that...

(Max): ...they go to every one.

(Gilles): Exactly, when they get to the feed lot they go to every one. But the rule does not make a distinction between the feed lot and the cow cattle producer. And you bring up another point here. Where is the risk? You know, the risk on my cattle carrying a disease is fairly low.

But once they get to the feed lot where they're commingled with, you know, 10,000 other heads that come from every place in the country, you know. I mean this is where they're going to get TB, you know, some other forms of respiratory diseases and stuff.

Man: Go ahead (Max).

(Max): I could, you know, I could see the feed lot is the easiest place to identify animals, you know. When they get there and when they get out of there and also they know exactly which cow go - cattle go where from that point to.

Man: I've got (Vicki) first and then Cindy.

(Vicki): That was going to be my point (Max). There is a certainty, if you will, (Charlie) right? I mean they go from me to you and they go to a feed lot and then they're sorted, but there's still traceability to this day.

I know in our state from any feed lot whether it be Iowa, Nebraska, South Dakota or North Dakota that if there's an infected animal, it comes right back to our state that and back to our producer to this day.

Our states are working and then my other comment is with (Gilles), we have to remember that we're producers, we're the little guys, we're not the big guys. We have to remember -- for me anyways for our tribe of producers, you know, our margin of profit.

You know, I had no idea the margin of profit for chickens was \$1.50. I almost past out because that would be very difficult. Running the cow business is very small as well.

I think you're just going to hear an uproar, the feedback I've gotten from tribes they don't want to do it at all. They can barely afford to do what they're doing and we can't get help on - (Brian) and I were just talking about this on our side of the country, we have some large (unintelligible) and, you know, not as large again as some of huge commercial operations.

But when you're trying to tag 1,000 cows it becomes and so then on the flip side it goes to what Judith was talking about, we'll get to the sale yard, now (Charlie) has to do it all of a sudden and it might as well be anyone's because you don't know the backer's fee. I mean you hope it's good but it could come in any way.

(Max): You know it's real true what you say, that's the reason why I think we should immediately ask when the animals born. And you get it for the first time that's the time to brand it for life with a social security number, that's it. You know through the moment they go through the knife.

(Vicki): And I know you live in rough country but for us it's completely unpractical for us to be able to go out and tag our cows as they hit the ground. Sometimes we can't get to them, sometimes it's 40 below zero, we're just trying to keep them alive at a certain point. So...

Man: Cindy?

Cindy Wolf: Page 90, I think that's where (Ace) is asking for the input on this question and it sounds like there's a lot of agreement that we'd like to start with a breeding cattle.

So I'm just wondering could you guys put that in a motion that's acceptable language and as a committee we could send a message forward or however we decide to send it.

Man: Yes, good suggestion. Is it in green (Kay) or is it?

(Kay): (Unintelligible).

Man: Oh. So (Gilles) started out with the highlighted yellow suggesting that -- and with that this wasn't a motion yet. So Cindy is kind of urging that a motion be made kind of in line with what you said (Gilles)?

(Gilles): Well, I was going to ask that. It sounded to me like part of what you were suggesting is that we give an endorsement to the over 18, was that what you were saying?

Cindy Wolf: Over 18 and breeding cattle.

(Gilles): Yes.

Cindy Wolf: I think...

(Gilles): That we endorse the program within this to be made motion here at some point?

Man: Can I -- if we're going to do that, could we make it two motions because I'd like to vote in favor of something.

((Crosstalk))

Man: You're welcome to vote in favor of the motion.

Cindy Wolf: Well...

Man: Maybe not.

Cindy Wolf: ...the problem.

Judith McGeary: Let me say the question I think, one of the questions is, is it one or two motion because I can say right now, you know, from the feedback I've already gotten. You know, there were a lot of cattle groups that did come out -- I don't know

when it was a year, a year and a half ago and said we'd be in favor of, you know, we'd support a program to bright tag a breeding aged herd.

And there was a huge amount of anger at least from the ones I'm hearing back from that a feeder cattle got lumped in, in a sense of look we made that offer and, you know, it was like every step we took okay we said great now let's take it further, you know, with what you didn't agree to.

And I think that, you know, for the people that I'm hearing from -- the cattle people I'm hearing from -- another vote of - to support breeding age cattle would have to be accompanied by feeding cattle need to be handled separately.

Because there's already the sense that, "Geez we tried going down that road, we tried saying yes to breeding aged cattle and what it got us was the program that we're really scared of."

Man: So would somebody like to try to craft a positive motion on the feeder? I mean no, the breeder show exhibit part of the rule and then another motion on the feeder part of the rule? Or you can do one motion, whatever the committee wishes.

Man: You know of any show that doesn't require animals to be identified? I mean, we don't show a lot of cattle but so I never once heard of a show where you didn't have to identify the cattle.

And as far as breeding cattle -- and I'm not - I don't know about out west, maybe one of you folks from out west could tell me -- but, you know, in our cattle herd we have all of our cows identified with tattoos and ear tags,

double-ear tagged because we want to know what productivity those animals are.

Don't they do the same? I mean out west, don't you keep track of your...

(Max): Sure we do, we brand it, we tag it with numbers. At the moment you know the birth are closed we are not right there but immediately sooner or later we are.

And then every time you go and sell an animal the branding inspector will come if you got a brand or not, they will be inspected and then when it get through the sale yard they will be inspected again in Washington.

(Charlie): Right.

(Max): Simple.

(Charlie): There'd been some ranches in New Mexico and Arizona where they wouldn't expect to gather over about 80% of the cattle when they go out to do that. They don't expect to gather over 80% and then maybe next year we'll get that other cow and that's now yearling off that other cow, there'd be some of that in New Mexico and Arizona.

Man: We'd go broke with an 80% cap drop.

(Charlie): You can have 80% cap drop, you just - you only get, you gather the calf one year that weigh 400 pounds then next year you might gather that other one that's 800.

Man: Or broke with 400 pound calves too.

Man: Okay, anybody come up with any draft language here? Okay, any language?
Okay, no language?

Man: I'll make a motion that we will remove the provisions in Phase 2 in the
proposed rule and address feeder cattle in a separate rule making?

Man: Is there a second?

Judith McGeary: I'll second.

Man: Judith seconds. Discussion, there's no more discussion. All those in favor of
the motion, signify by raising your hand? Nine in favor. All those opposed
raise your hand.

Man: Abstentions?

Man: Abstentions, 6, 3. The motion passes 9, 6, 3. There any other... You look
puzzled. No it's 9, 6 - 9 in favor, 6 opposed, 3 abstentions.

So is there - is there any other action to come out of the committee on feeder
cattle? So does anybody want to volunteer to write a dissenting opinion for the
six? Not volunteering for anything. I've already volunteered for too much.
Well, we'll come up with something. I may pick on somebody.

All right, so feeder cattle going once, going twice, sold. Where's my list? Yes,
do you want to, no we don't need a break yet, do we? Anybody need a break?
Let's do one more topic.

Why don't we do Group ID, I think that's another topic. I got comments from
(Max) and I'm not sure who else on Group ID, it may have been combined.

Judith McGeary: Didn't we combine that with the poultry questions?

Man: Did we?

Judith McGeary: I think we now have a - I think initially it made it on to our list was because of the poultry discussion.

Man: Yes.

Judith McGeary: But did you guys want to revisit the issue of Group ID in the swine industry given the conversation this morning?

Man: Real happy with what we've got we just don't want it to get - we don't want to have something change because of poultry that messes up our program. So...

Judith McGeary: Okay.

Man: ...we're, you know, on this one we're taking the count and laying down.

Man: All right.

Judith McGeary: Second.

Man: So then perhaps...

Woman: Yes, I'd like to ask for some clarification. I've got some questions, some discussion on practicalities of dealing with lost tags.

Man: Wait, I have that on here. Oh, replacement tags?

Woman: Replacement tags, when are we going to talk about that?

Man: That's kind of next.

Woman: Okay.

Man: Yes, I've got that on the list for sure.

Judith McGeary: Is that the dairy discussion, we had a handout for that. Well, I mean there were two different things and (John Kalmey) was focused on continuing the AIN number.

But then I think Genell and I think I've heard some stuff from the cattle guy as well on issue of the ability to use multiple forms of ID or duplicate tags because of the issue of tag lost. I think those were two slightly different angles.

So one question is does anybody, has anyone else read (John Calmese) memo? Has it reached a cord with anybody who sort of wants to take that issue up? Or (Don) and I could lay it out.

Man: Yes, we can but let's just get done with Group ID. Are we done with Group ID?

(Charlie): Wait a minute just real quick before we move on, I want to back us up for just a second.

Man: Oh, that's good, go ahead (Charlie).

Man: Are we backing up to feeder cattle or group ID?

(Charlie): We're backing up to feeder cattle.

Man: We are?

(Charlie): If we - if we're going to - if Phase 2 is going to remain in this proposed rule?

Judith McGeary: We just proposed - we just voted that it shouldn't.

(Charlie): But if we don't go there I still have issues with the trigger, with the 70%. How do we address both? We need - I would like to address that issue also.

Judith McGeary: I mean I supposed, I mean we could write a recommendation, you know, and I'll leave it to you to do the substance part. But it could be processed with if the secretary determines to keep feeder cattle as a Phase 2 in this rule....

I mean we - I don't know - think there's any reason we couldn't write a recommendation like that.

(Charlie): Okay. I think I'd like to proceed along those lines if we could for a few minutes.

Man: Sure, yes.

(Charlie): (Nancy) you wouldn't have what (Jim Akers) put together would you?

Man: So just to be clear right now we're talking about discussion on the 70% trigger?

(Charlie): It's where? Well, we'd just like to see something from a stakeholder standpoint that - that lends more to -- that's not it -- that gives a more stringent situation, where there is traceability, not animals tagged.

Animals tagged is pretty simple to accomplish, this is a traceability rule, let's have a percentage of a test group that is traceable before we can move to Phase 2 let's have a high-level traceability of Phase 1 before you move to Phase 2.

Not just tags put in, that's not - this is a - this programs about traceability, not just tags put in. So we need a high percentage of a test group that's traceable in a certain period of time before we move on to Phase 2.

We have to have a program that works before we move on to Phase 2 and we have to know it works.

Man: (Gilles)?

(Gilles): And I would take it what you're meaning (Charlie) is that it's one thing for us to meet 70% of putting in tags, it's another thing for the state veterinarians to be able to deal with it and have a system that can put that into their databases and get information out of those databases that makes some sense.

So is that - is that where you're getting at?

(Charlie): That's where I'm getting at. Here's a suggestion from (Jim Akers) and its interesting some say randomly select a statistically significant number of processors represent a statistically significant number of cattle 18 months of age or older presented for slaughter on a given day, measure the number of

animals that are officially identified when presented at slaughter, the goal of this measure would be 98%.

Through the review of the slaughter plant business records, identify those animals without official ID and determine to what degree possible where they were identified with what form of ID were they identified?

And where did they lose that ID? Within the officially identified cattle population additional performance measures would be what is the distribution of the various types of official ID methods utilized in indentified cattle 18 months of age of older?

What percentage of the animals is accompanied by complement documentation such as ICVIs or other ownership documents? And along those lines, we need something as a trigger to move to Phase 2 needs to be more stringent. It needs to be traceability.

Man: Okay.

(Boyd): I think that's a point well take as far as traceability. I -- because it is not just the tag it's the whole. If we can't do the system on the whole 18 months, we're not going to do it on the feeders, that's a good point.

98% is not a realistic trigger but we can state those numbers.

(Charlie): It's just an example.

(Boyd): Because in a perfect system 98% of tag them and when to get there, lot of tags I've seen it's a concept I support, the numbers, you know, we can work out numbers but that's a point well taken.

I think, you know, take those animals and be sure you can do something with the number just that's hard to argue with.

Judith McGeary: (Boyd) would you agree possible, it would be - I think it would be very hard for us to agree on a specific number but might you agree on something significantly higher than 70%, because I look at 70% and I just think that's terribly low.

(Boyd): Well, in this process if you start -- even if you took 70% you add the extra steps and show you can do something with that 70% you'd be a lot different than you are with just 70%.

Judith McGeary: I agree.

(Boyd): You know I would say 70% not a bad figure to start a process if you can take that 70% and trace it. If you can't, then you don't. But like you say we may not agree on a number but the concept of being able to do something with that number is valid.

Man: Cindy?

Cindy Wolf: To fall back to what point?

(Charlie): Well, I think it needs to be -- we're talking about - we're talking about Phase 1, so we're talking about adult animals. It needs to be traceable back to the premise of origin.

Cindy Wolf: The birth herd?

(Charlie): Yes, correct, correct. And there's a - there's needs to be a time frame that you can do that in, you know, what is that time frame? Is it 48 hours, is it 72 hours, is it 5 business days?

Possibly there's a timeframe for each -- let's say that, let's say the average adult animal has three different ownerships, possibly its 48 hours for each ownership, something like that.

But you do need to be able to get back to -- if you're systems working properly, yes you're going to get back to the birth herd.

Man: (Neil) did you have something to offer?

(Neil): Yes, just a clarification that the proposed rule would not require ID to the birth premises? The proposed rule just requires that the animal - the required animals be IDed. An animal moves three times within the state of Kansas and then moves to Nebraska, it's the Kansas-Nebraska movement that needs to be traced.

(Boyd): Yes what I would say possibly in the preamble -- and that's a separate rule making process -- but you're going to be trying to gather this traceability information to establish standards for the next rule.

So I hadn't really thought about it until reading this just now, but its logical to say that you take those numbers that you got the 70% put them in and then we'll get better standards.

We'll know where we really are instead of asking states to on their own come up with did you do good or not, which may not be reliable. So whatever point whether it's birth premises, if you use the existing four standards apply those

to them and come up with a percent we're doing because we're going to be doing that anyway.

(Charlie): (Neil) like on the birth premise are you not going to come back to state and ask them where that cow came from?

(Neil): Certainly, the -- from a traceability standpoint within state movements is the responsibility of the state. I was merely pointing out that by the proposed rule not necessarily with the birth premises be part of this trac- would not be necessarily be part of the traceability regulation unless it was, you know, tagged there.

But it doesn't require that the birth premises be where the animal is tagged. I just wanted to make sure we were clear on that.

(Charlie): It just means that animal wouldn't - didn't have to be tagged at the birth premises.

(Neil): But again, you know, I think it's, you know, we evaluate the traceability or do we evaluate the tracing capability that resulted from the regulation? And that might be two different things based on your comment.

(Charlie): Okay, but back - I think back to our original goal which is when you come up with a probably a different trigger than just 70% of and we've still got that, that's still a question to the cattle ID group is still question to my stakeholders.

What - 70% of what, now we need more, we need something, we need traceability - 70% traceability not 70% of animals tagged. And I'm not sure what that is and (Neil) you've explained it to me and I'm still not clear. And I apologize if I'm not understanding you correctly.

Man: (Max)?

(Max): You know, we need to have 100% traceability if we going to do a good job otherwise we'll have some problems. We need to, you know, we need to do a good job with this. You know, 70% is what it is.

Man: I think what (Charlie) though is saying is that and what I hear (Neil) saying is that the - the set point or the evaluation point is going to be 70% of animals identified eligible animals or required animals to be identified according to the rule when the rule goes into effect.

But you're not looking at traceability because you don't really know -- well, you could look at traceability that's what you're saying, they should look at traceability.

But I think what you're proposing to do is just say, "Okay, the minimum is, are 70% of required animals identified to move interstate commerce and not going back to the birth - the birth herd because there wasn't a disease event."

Certainly as a state animal health official we want to know the herd of origin if there's an animal disease event is that right.

(Neil): Correct, you know I think - I understand the 70% but there's no need to evaluate the tracing capability if there isn't some level of compliance. So I think that was the intent when we reach this x level of compliance evaluate the workability, the tracing capability from a practical standpoint, have we made progress, are we tracing animals appropriately?

I think part of our challenge is and it was the same way with the performance standards we don't know what the values specifically are and when we are asked or directed by OGC they were looking at, "Well, put something in there that can be specifically written with a number."

Whether that's necessary or not and that's maybe where this came up. It was something easy to evaluate but I think it's important to understand that that is not the trigger, it's the trigger that helps say let's do the assessment and, you know, make it part of the assessment.

But we'll continue to reread the preamble and it talks about evaluating the workability, the tracing capability as the intent and maybe there's a need to make that more specific of the trigger. But I think that's certainly the intent of our efforts is to evaluate the tracing capability.

And so I think, you know, that's certainly the intent of the assessment is that perspective. So I just wanted to make those comments because I think there's agreement with the intent of what you're saying.

(Charlie): Is there somehow we can - is there some way we can incorporate that language into the - in to the proposed rule or comment, we can make this...

Man: We can make a recommendation.

(Charlie): A recommendation that, you know, what we'd like to see I think is an industry is something that talks about traceability.

Man: (Charlie) I think that that it would - it sounds like it would be appropriate for the committee to make a recommendation to the secretary. The secretary - if the secretary chooses to include your cattle in the rule the way it's currently

proposed, that the committee recommends that the criteria for moving forward on the Phase 2 be more specific in scope.

And furthermore that the criteria include an evaluation of the ability to trace these animals back to their birth herd of origin. Is that what you're saying?

(Charlie): Yes, I think so. It just needs to... Yes, it is, traceability - the rule, this is about traceability.

Man: And therefore that doesn't get us into numbers, it just says go further than 70% of the animals identified.

(Charlie): Exactly.

Man: Well, okay. You know, what about how many of those animals are you able to trace back with herd of origin? And the other thing is, you know, I assume this is going to take a couple maybe a couple of years to get going.

How have things improved with tracing TB reactors back to the herd of origin? Has that improved, because that's abysmal? We've heard from (John Clifford) on a number of occasions that the average time to resolve one of these is 180 days, six months.

So that's not 48 hours, so, you know, has that improved? Recommend the department to take a look at some traceability benchmarks.

(Charlie): (Neil), what are the USDA goals for traceability? For a program that's functioning at its highest level?

(Neil): You know, I think where we're at right now, you know, we want to have a system that gives us better traceability than we currently have. Way out there we can be idealistic and we know we're probably not going to get there real quick if ever.

This is a step forward into improving traceability. It's a bookend system to a big degree and that's not even specific because I said based on the regulation a true bookend system would get us to birth premises.

This regulation gets us the information that leads to where the animal was first officially tagged so instead of spending 180 days determining where that location might be within a matter of minutes, hopefully, we will have that information of where that animal was first tagged to work forward from there and if it wasn't the birth (premise) be a lot closer to the birth (premise).

So, what I'm saying is it's a - I can't say that this is designed to give us or to achieve our long-term goal. When we had the other program we established a long-term goal and that wasn't highly supported, it was too aggressive. So this one's intentionally been established to give us clockwise progress on something that's doable. We get X number of years down the road and this is in place, do we need to do better? I think that's the time to evaluate given the potential for increased capability or (tracing) capability.

Five years later, we've got to wait until we measure what we're doing and we need justification cost of making additional improvement. I'm not one that looks at or thinks it's appropriate to justify what we do in the United States based on other countries but this certainly I think we all recognize, doesn't give us the full traceability that maybe we were talking about in (NAIS). Its a couple locations if an animal moves interstate a couple of times.

Man: Let's try to wind this up (Joe). Go ahead.

(Joe): Yeah, perhaps one way to go forward is to ask (Charlie) and (Boyd) to draft a recommendation for us that can deal with it. And I might add (Charlie) and (Boyd), if you - it's a group, if this is all right, put in something that sort of addresses the issue of USDA coming back for further comments on feeder cattle.

Man: Do you - what about what's up there right now in the yellow? Bottom...

Woman: ...microphone.

Man: More than just the ability. We also need to look at the time that it takes, not just the percentages. Because right now if you look at the TB table that they gave us, the percentage of success is very high it just takes too long. So, try to be...

((Crosstalk))

Man: I would put that in then too as one of the criteria. That could be put right into that recommendation.

Woman: Sort of origin. I (don't even want us) to do a specific type like say which time period but within what is considered an acceptable time period.

Man: Better than what currently exists which is terrible, right?

Man: It gets real hard to write the specifics because you get into - well, like this 98%, well, his 98% is if you spend a year you could find where they are. My 98% is how much I can know quickly and yes they successfully trace a lot of

(TB)'s but they do that by including ten herds that weren't involved and to me that's a failure. So, you didn't trace it because you could not narrow it down to the right one.

So the denominator, again, raises it's head as to, yeah, 98% own the way we do it now and we don't mind testing ten herds when we needed one. So, what number are you using?

Man: Howard, I don't know if this is too vague or not but something to the affect that we recommend that the trigger for phase two be associated with the ability to trace in a timely manner a percentage of officially ID cattle as determined by the USDA epidemiologist.

We're not - one of us, well, I shouldn't say none of us are - maybe somebody's an epidemiologist in here but, you know, you don't need 100%, no system will ever get to 100%. So, the epidemiologist should be able to give - maybe it's not 70%, maybe it's 90, maybe it's 50, but somehow we need to make a recommendation and (Charlie) is absolutely right, it needs to be based on the ability of the trace not on some number of tagged animals. So I don't know if that gets us to where we want to be or helps us move along or not.

Woman: I like that. I'd suggest that - there's concerns about how the USDA sets numbers that perhaps we say as determined on the basis of epidemiology rather than putting in the hands of the specific official. That would be already too.

Man: Yeah, that would be all right too. And I didn't want to discount your suggestion that (Boyd) and (Charlie) put something together but I think we might be closed to getting to it now and should we remove birth herd and go to herd of origin?

Man: That would be fine with me. Does that kind of get where we're going? I mean, if it does, let's just somebody make a motion and a second and then we can discuss it further or do you want to tweak it and then - whatever, it doesn't really matter.

(Dave), I have a motion - (David Meeker) moved. Do we have a second?
(John) second, okay. So now we have a motion in the second with a recommendation that's getting close.

Man: In the draft of every - we lost the phrase timely.

Man: Yeah, I mean...

Woman: You know, it's with ability to timely trace.

Man: Okay, it's behind (Don)'s head.

Woman: (Don), you're blocking timely tracing.

((Crosstalk))

Man: That isn't big enough.

Man: It's almost readable.

Man: Now, would timely be something like within five business days? I mean, we've got to use - there's got to be something. Timely can be five days or timely can be 30 days or timely can be 180 days.

I mean, there's got to be something. There's some...

((Crosstalk))

Man: I think remember that right now it doesn't sound like they're even evaluating that. So, what we're putting in here is a recommendation that they do it, that they evaluate it.

Man: What is timely?

Man: I don't know, it depends with foot mouth disease it's now, you know, its tomorrow. With TB it's probably not going to be - it takes the bug so long to grow that by the time we get back the culture result we're already a couple of months behind to - you know, so...

Man: It's going to differ with every disease.

Man: It is, right. So, I think timely is not a bad word to use but it - because it makes the recommendation that they ought to be looking at it.

Woman: I don't think we need the extra language. I think we can leave it nice and vague with timely. I don't... Yeah.

Man: Other additions to the motion or discussion?

Man: Yeah, something to the point that sort of a furthermore that USDA will establish a public process for stakeholder input.

Woman: On what these criteria should be?

Man: And on the results, or the movement forward on that.

Because what Neal was saying is that it's implied there will be a public process but it's not for certain that it would be. There are changes in administration and changes in personnel so we should try to reinforce it that if feeder cattle are going to end up into the rulemaking that we do have a chance to put some input into it.

Woman: Okay, can we say that last sentence, the USDA should establish process for stakeholder input on the criteria and the results? Sorry - just, yeah. So that sentence keep going. No, that's fine, yeah.

Furthermore, that's fine. Go to where it says stakeholder input on the criteria and the results. With that (Joe), did I capture that one?

Okay.

Man: More discussion, no more discussion, people are ready to vote?

Woman: Do we need the person who made the motion to accept the changes?

Man: Oh yeah. That's - yeah, thank you. (Unintelligible) is not doing his job again. So, (David) and (John)? Okay, friendly amendments, all? Good, don't need to vote on them.

All of those in favor signify by saying aye? Aye. All those opposed, same sign? Abstentions? Motion passes.

Time for a break, thank you.

Fifteen minutes, right? (Kim), three o'clock.

((Crosstalk))

Man: Right, right.

((Crosstalk))

Man: It's coming. One of these days.

((Crosstalk))

Man: It's going to - what we're going to have is we're going to have the person that brought that cow to us. Maybe that's the original premise. Maybe he bought it from a neighbor or maybe he bought it from the sales two years. We're going to know who brought that cow to us and we'll have that information.

And we'll have a back (peg) and a right (peg). They'll be matched up. If we send 50 cows to a (backing) house they've got to (bag tag) in the...

((Crosstalk))

Man: If they loose the (back tag).

((Crosstalk))

Man: Most states are not that way. And a lot of states do do this. So a lot of states are just operating with a (back tag) going to slaughter which, under the circumstances, I don't see a problem. It goes - because (unintelligible). It's not a huge problem in the beef herd.

So if we're sending cows to the slaughter house on a (back tag) then what will the number be? Two percent of those tags are lost in transit.

((Crosstalk))

Man: ...they always called him a (unintelligible) with those...

((Crosstalk))

Man: If people could take their seats again, let's get started. I think we may have a little bit of discussion left over on group ID perhaps, then we'll move on to replacement tags and then I'd like to last, well not totally last, but the discussion of the National Assembly letter that I provided for you all, find if there's anyway we want to move on some sort of a statement.

And then finally to end the day, and I don't think this is a very controversial one at all but it is related to animal disease traceability as well as a couple of other topics that we're going to hear about tomorrow is the National Animal Health Laboratory Network letter that Dr. (Reed) sent out to everybody. It was sent a little bit late to make it into the official agenda but still it's related. So, we made a decision that we were going to include it anyway in this discussion today.

So, let's try to get through everything, (traceability), today and I might - if we can't do it by four I might ask people to stay on until we do, not too much beyond five but I don't know about you but I work until at least five everyday so I don't know why we have to leave at four.

Woman: We do need to leave time for the public comment and I don't know procedurally if we had people signed up to do public on that...

Man: Oh, that's right. I'm sorry.

Woman: We might break at four so that we don't hold them up.

Man: Okay.

Woman: Would that be...

Man: We can do that, yep. I don't want to exclude the public. Yep, we know they're out there.

So, let's move into group ID. Is there any further discussion on group ID?
Okay. Let's move on to replacement tags.

Who wants to lead that discussion?

Woman: Does anybody else want to take up (John Calmey)'s memo? Other words, I could sort of lay it out and actually a couple of - okay, sorry.

Man: Sure, go for it.

Woman: Okay, so, as I understand (John)'s memo the issue is that the dairy producers are concerned about how the animal identification number - sorry, I just realized that I read part of it but not all it looks like.

So, the animal identification number they like sticking with the same number in order to be able to track the dairy cattle production better and they're

looking for a way to be able to - if a dairy cow loses its tag to be able to replace it with a tag with the same number.

So the same cow retains the same number even though physically it's a separate tag. I believe right now the rule provides that AIN's can never be reprinted. So, you'd never have two tags with that same AIN number.

And I'm sorry, because I just realized I said I hadn't read the second half of his memo.

Man: Oh yeah, he made several recommendations. The first one was about the same number and so he wants - if a dairy animal loses their tag to be able to somehow order a tag of identical number and I usually just put another tag in but...

Man: Yeah, what his issue probably is, some of the breed organizations promoting traceability adopted that number as a registration number so the registration number doesn't change and for them to put in a different number but it may be a programming issue. I'm guessing that's where he's coming from.

Man: Yeah. (Neil), do you have something to add to that?

(Neil): It's okay. Just for clarification there is a process in place to have 840 tags reissued with the same number; (Holstein) Association as you indicate is a good example of where that's kind of their (unintelligible) for genetic evaluations. They are unable to change the animal's official ID. Obviously in the majority of the cases a replacement tag is put in place. Unless I've totally overlooked it, I don't think anywhere in the proposed rule would prohibit an 840 tag to be reissued with the same number. Actually, by the (ISO) standard that is in place for the (RFID) or the (ISO) compliant tag as well.

On the metal clip tag I don't think that's his issue. That would be difficult because those are usually in a stamping process and the practicality of issuing one metal tag with the same number is just not in the cards. But, for the plastic laser printed tags if a (looser) has to have it whether it's a visual tag or an electronic tag that, by policy, would be allowed for.

Man: Okay, good. Well, I think it would be my preference that the committee go forward with a recommendation to just reiterate that so that we have record that this was a concern expressed by one of our members and that we affirmatively endorse that.

So if we want to take this - I don't want to interrupt what you were doing Judith but if you want to take this one issue at a time, one piece at a time, from (John), the first would be that the committee recommend that the rule include additional language or include a provision to allow producers to get a duplicate AIN tag if one was lost.

So...

Man: (Salud).

Man: Thank you. (Chuck) made that motion, not me. Second? (Boyd). Any further discussion? All those in favor - yes? Sorry Genell.

Genell Pridgen: Okay, explain to me a little bit more about the AIN tag? What I'm more familiar with is the (Scrapie) tag and like my (Scrapie) tag would be (NC004), the fourth farm in North Carolina. On that AIN tag is there an indication of the farm, the premise ID number, on that AIN tag?

Woman: No.

Genell Pridgen: Okay, so what I'm saying is if I buy that cow from you and it loses its AIN number, I can still - how will I apply for a duplicate AIN number?

Okay, you're saying since it does not have an ID for that farm on there would be no barriers to applying the same AIN, you know, a new one, because it did not indicate that it was from (NC004) but now we're at Virginia 023.

Man: It would be just like the tattoo that's in an animal. If it is put in at their birth or usually when they're first identified for their purebred catalyst, there's a registration because of the registration implication using that number. It's not because I lost the tag out of one of my commercial cows. That wouldn't be a reason to do it but because that number is the animal's identification and registration number, that's the reason, because it's a unique occurrence. And getting these things printed surely is going to be expensive. That's not something that I would want to do casually.

Man: It's only if you want to do it. I mean, if you want to - if your tag falls out and you want to put in another (Scrapie) tag I think that there's a provision to do that.

Genell Pridgen: Yeah, it is and I had...

Woman: Something that you want to take up, yeah.

Genell Pridgen: Yeah, we'll take that up in just a few minutes.

Man: Okay.

Genell Pridgen: Okay. I was just concerned about whether there was an individual form ID for this AIN number so that once that animal passed hands would there be a barrier to having a new duplicate AIN number because of the farm being a different premise, I think that was my question.

Man: Yes Howard?

Howard Hill: I'm not sure but - this goes back to Genell's question here, it says in the second part there where they're talking about the PIN number the recommendation to USDA APHIS is to allow AIN ear tags to be ordered with a state location ID in lieu of a national PIN.

So, is the PIN number on there or not?

Woman: It's not on the tag, it's associated with. I mean, the AIN is the 840, 12 digits and then in the record of its issuance it's usually linked to the PIN. And what he's talking about in the second one I scanned and reminded myself that I had read it, what he's talking about. And then the second part is, well, what if there's some confusion as to whether your state is still issuing PINs, could we do something else to link the 840 number?

But the PIN isn't part of the 840 number, it's a linkage in the record keeping.

Man: But don't you think on a national basis that we're eventually going to premise ID in every, on all, operations?

Woman: I hope not.

((Crosstalk))

Man: I think those provisions have been to give options and it be a states choice if they want to do their own versus using the national. And my understanding, and (Neil) can comment, I believe they already will allow the AIN 840's to go to a, once the system gets set up, to a LID versus a pin.

Woman: A LID?

Woman: A translation void.

Man: Location identification.

Man: His acronym...

Man: His acronym. Let him...

Man: (I had the) program standards.

Man: Yes, the 840 number can be aligned with the premise ID number, PIN or the equivalent location identification that is the equivalent but administered entirely by the state, i.e., the LID.

Woman: So actually that's the (access point).

Man: That's the reason why those numbers are aligned with a location ID because the location or the equivalent of the flock ID is not imprinted on the tag so it has to be aligned on the database to be traceable.

Man: I guess having said that in the standards it's not really an issue as you raised in number two, it's already there. There's nothing to comment on.

Man: Yep.

Man: Okay. Anymore discussion on the motion?

All of those in favor signify by saying aye.

Man: Aye.

Man: Opposed same sign? Extensions? Unanimous. Thank you.

So, I guess we don't need to cover his next point since it's already in there.
The last point that (John) raised was (mystery) state and federal cooperation.
Okay, I actually did read this on the plane.

Woman: I know, right. I'm realizing that I did read all of it.

So the last recommendation is that we propose - that the USDA ensure that the industry continue to be involved in the process and that USDA encourages states to recognize available industry partners as they begin to launch their systems.

And my concern with this - okay, so I have a reaction to this that comes from sort of the small farm local foods community which is usually, to be blunt, the word industry translates to large commercial industry not the small farm local foods.

And that is, unfortunately, how things have played out frequently in the last several years and so I think I, you know, don't want to mess with (John)'s recommendation while he's not here so I sort of would feel bad amending his recommendation but if he were here what I'd be proposing is well, if you want

to have something like this it would have to be broader than the word industry.

It might be possible to fold this into a discussion that I was hoping that we could have at the conclusion of the day on something akin to what the national assembly did which is, you know, maybe not agree on everything that's in the rule but perhaps come out with some positive statement on the process that's going on, the opportunity to comment, the fact that the committee has spent numerous hours, days debating and deliberating on the rule at the end of the day.

So, I would like to have that discussion sort of at the end so I don't want to - can we just put that aside until then?

Okay. Thank you. So...

Woman: Related to this there were some duplicate tagging issues that Genell and I have been talking about and one of them actually sort of, someone pointed out to me and I haven't thought through, to be honest, is by recognizing brands and tattoos as official we've actually created a somewhat new wrinkle which is the rule only allows for one form of official ID.

So, I mean, logically what's going to have to happen is that has to change and I don't know if we want to try to take that up as sort of, first of all, just on the brand - for instance, I mean, technically if the secretary accepted our recommendations for brands to be official ID you couldn't have both the brand and an 840 tag on your cattle so obviously something is going to change.

I'd like to at least consider an even broader change which is simply because ear tags tend to get lost and they're such a bad, there's frequently bad track record on that, that we consider a recommendation to more broadly pull out that prohibition on two forms of official ID and let it get worked out as the producers and the vets think it's best.

Man: I think the rule has a hierarchy of it's not that prohibits two forms it establishes a hierarchy when you can replace - like an 840 can be put in on an animal that has a (news) tag.

Woman: I think that's the only exception though.

Man: And so within that framework you could certainly establish the unofficial. The logic behind - I think the reason the rule is in there in my opinion is a huge problem that exists now that nobody talks about because the (news) tags are so difficult to read. People just put in a new one and they make no attempt to read the other one and that's the reason for the rule that you can't have two because almost without exception, in my state, they go in and either pull out the old one and put in a new one so they can consecutively number them or they just slap in a new tag and the cows have six and seven tags.

And they don't want to...

Man: I'm even guilty of that especially in pigs.

Woman: (Neil), could you clarify is 840 the only exception to the ability to have duplicate, or not duplicate, but two forms of official ID?

(Neil): So at birth I put in a silver bright tag and at six months of age I vaccinate the heifer. I would have the opportunity to have the orange vaccination tag put in.

Woman: Okay. Then I misunderstood. Where's...

Man: And what about a brand?

(Neil): You know, based on - let's look at cattle... And I looked at it again, I think the intent was specific to an ear tag but that isn't how it reads. It says device or method.

Woman: So we would be allowed to use two forms of official ID other than...

Man: Again, in that specific case the other point about the retention, again, the intent is an official ID with another number so we're not going to have bright tags with the same number but want to make sure it's understood. There are some cases where three AIN tags with the same number are put on an animal. In dairy it's very common two (bangle) tags and an (RFID) tag all with the same number AIN. A lot of the age source programs provide the opportunity for a pair button (RFID) with an 840 (bangle).

Man: Suppose in the case of a dairy animal from the state of Washington which is a brand state, it gets branded first then it's going to come to Maine and be TB tested even though I don't require TB tests, let's just say it was.

((Crosstalk))

Man: ...have a tag because I don't recognize brands and I'm not going to but it would have to have a tag so it's already got a brand and it would have a tag, that's okay.

(Neil): Again, the proposed rule today doesn't include brands as official for identification so, again, how is that fitting in with your recommendation? It could be such that that's left up to the state just as the intent of what you added, a possibility I guess. But I can't comment specifically because it's not in the proposal.

Man: I know, thank you. We're putting you on the spot here a lot and I know you're trying to walk the fine line of not commenting on the rule but providing us information and we appreciate that.

(John Weamers): (Don), this is (John Weamers) and another case where multiple tags is okay is for export. A lot of countries require an ear tag in each ear for export. And so those are - that's a situation where it's specifically okay. Another situation would be in field trials where maintaining the identification is critical to the outcome of the experiment or the field trial.

So there's some latitude there given to the animal health officials but I think that those situations are based on a specific need rather than just the convenience of the person putting in the tags.

Woman: And actually I think I finally have found the proposed provisions. My apologies for not having marked it ahead, I'm using (Phil)'s copy of the rule so that's why I hadn't marked it. So it is - it's on Page 108 to 109 of the proposed rule. It's published and I am seeing how that you are allowed to do two forms of official ID but there needs to be a very specific reason. I think that the phrase used is in specific cases when they need to maintain the identity of an animal it's intensified and there's a record keeping requirement that requires not only the fact that both numbers, so that you have sort of linkage of the two numbers, documenting the reason and the date and I guess I'm a bit - what struck me and why I have it slightly confused in my head is it

seems much easier. The next one basically allows you to do the 840 additional tagging simply by keeping it in accordance with the AIN numbering system.

So I guess my problem actually more is I've already looked at the specific language is, could we make it so that, yes, the record has to be kept so that those numbers are tied because I understand what's not to simply keep pulling tags out and putting new ones in but that the recording keeping requirements be consistent as opposed to giving some preferential to AIN and making it much harder on the other forms of official ID.

Man: I think probably, I'm not the one who wrote it but, the logic possibly could be that the AIN often is an electronic tag that is a management reason like in a (dairy) where they're using electronic recording and so they have a parent that you don't need a documented record for. That's an inferred superiority of an electronic tag is probably the logic is why there's a difference.

So I see a difference in the need for an explanation. I don't need anybody to tell me why they've upgraded to an electronic tag but I do need them to tell me why they needed multiples of the same kind.

((Crosstalk))

Woman: ...even if they're recording the numbers? I mean, what we're saying is I'm not - it does require you to keep both numbers recorded and therefore you don't get the confusion system going. So even though they'd be keeping that paperwork and the traceability intact?

Man: That would be the main.

Man: The main thing that you need is that linkage.

Woman: The linkage, yeah.

(John Weamers): And you're right for the 840 - this is (John Weamers) again. For the 840 system there is an electronic system to record those, the distribution. And, in fact, the 840 numbers are kept track of up to the time that they're issued to the last - to the farm of origin, the farm of tagging. So that's all electronic already so that record of distribution is already maintained through the system of issuing those tags.

Man: (Cindy)?

(Cindy): What's going to stop - so I sell breed heifers and they're sometimes pretty - well, over 18 months of age. What's going to stop me from cutting out that original bright tag and putting another one in that spot, because it's a lot safer for me to do that than it is for me to try to read those terrible bright tags.

Man: I wish I had the answer to that. You know, hopefully this will take it to where you'll think a little longer about it but we haven't solved that. And as I always say, you have to be careful in regulation and lawmaking you can't stop a (quilt) but you can make it difficult on honest folks. So, we have to strike a balance.

Woman: Actually that's what your example just made me think of which is unfortunately it probably means that the people who really do want to just sort of say, oh, the hell with it, this isn't worth it, we'll keep doing it, and the folks who are trying to be law abiding are going to get stuck with these record keeping requirements so they're going to be a (pain).

Man: I wish I had an answer. I don't.

Woman: Maybe we'll have to look seriously at those bar-coded bright tags that you could just scan. Because, honestly, I mean, if you move 200 head I cannot read those bright tags without taking a pretty big risk or buying another part to the shoot.

Man: I wholeheartedly agree. It's going to be a problem but a barcode would be even harder to read and by the time you'd take the steel wool to it to clean it off to read it, I doubt the bard code is going to be much good either.

Man: Yeah, when you get older you need a flashlight and a scraper and glasses to read those metal ear tags.

Is there a recommendation to come forward?

Woman: I don't know how people feel about it but I'd like to put the recommendation on the table that we recommend that while maintaining the linkage between numbers to protect traceability, USDA - sorry, back up. Instead of USDA the provisions for duplicate or replacement tags not impose additional requirements beyond that necessary to maintain the connection of the numbers.

Does that make sense having written it on the spot? The - how about the integrity of the traceability? There we go.

Man: Now, the way that you've got that worded you're talking about an identical tag and a replacement, to me, the duplicate you're meaning a second tag, not a duplicate, right?

Woman: I think for - well, duplicate I don't mean duplicate in terms of identical numbers but duplicate in terms of a second form of ID.

Man: Oh you may want a different language.

Woman: Division four...

Man: To me duplicate means identical.

Woman: Yeah. There are provisions for a second form of official ID or replacement tags.

Man: Do you want to put that in front a motion?

Woman: I'll move that the committee so recommend.

Man: Is there a second? (Max), seconds?

Man: You read it to me but it's getting late in the day. What exactly are we removing from the requirements with this, recommending that be removed?

Woman: So, it would be on the provision where the requirements would include not only the fact that the ID numbers be recorded but that the reason be recorded.

And it's sort of a preventative to deal with the fact that let's assume, let's be optimistic and assume, that the secretary accepts our recommendation on brands and tattoos since there are no provisions at all for what you do about a brand or a tattoo being a second form of official ID at this address.

Man: I don't have a big problem with what you've got but I would prefer that, you know, obviously if they had to accept the recommendation and add a brand as an alternative official that requires state approval that they certainly go through and make consistent that they change the language on what is allowed to be duplicated, to be clearer, regulation to me.

But, I mean, I don't know that this...

Woman: Because I'm covering both, I guess, in one question, if people are worried about it we could split it into two but I was hoping we could cover both; both the situation of, well, what happens if and when brands and tattoos are official ID and, you know, just what's standing right now which is already there's some barriers on duplicate ear tagging or two forms of ear tagging.

Man: So just as long as we don't make it easier for people to hide the fact that they're just putting in extra tags for ease.

Woman: I mean, if they have to go through recording the numbers and keeping the paperwork on the numbers that takes away the incentive to do it just because you couldn't read the first number because you're going to have to write down that first number.

I mean, think about it, if your reason is, geez, I don't want to read that first number but you have to write down the first number and the second, that by itself takes out - this makes life easy.

Does that make sense?

Man: Further discussion? Ready to vote?

All those in favor signify by saying aye. Aye? Opposed same sign?
Extensions? Motion carries unanimously.

Okay, maybe we can move on to Dr. (Reeds) issue of the National Animal Health Laboratory Network. I think you all got an electronic copy. I believe and now a paper copy of the document that's had the United States Animal Health Association September 29.

And this resolution was passed by the joint committee on the (NAHLM) in Buffalo a couple of weeks ago and Dr. (Reed) felt that it was important enough to bring to the committee for consideration.

Man: I would certainly support the resolution. We would have to take out the language about requesting congress because we advise the secretary and not congress but with the appropriate change in wording and (Michael) can tell us what we can appropriately do but it's certainly critical infrastructure to animal health and what we do.

Woman: One way to phrase it might be that we - because I hadn't even thought about that but you're right. One way to phrase it might be that we recommend that the secretary prioritize the funding received by USDA to ensure that such and such is provided and that way whatever the congress gives USDA, what we're asking is the USDA to make this a priority.

Man: I've also kind of tweaked the resolution a little bit to say, and it could be probably tweaked a lot further to say the secretaries advisory committee requests that the secretary support annual funding for the (NAHLN). Any further requests that in order to adequately sustain the network to ensure food safety and security, animal public health, US economy but the (NAHLN) fee fully funded or something like that or adequately funded.

Woman: What is the current level of funding for the (NAHLN)?

Man: Yeah, where did the \$30 million come from? I mean, was there some study that was done that said that that's what they need or is this...

Man: (Do we have) that person here?

Woman: I think we've got somebody indicating that they can answer.

Could you please come to the mic and...

Man: Dr. (Livings)?

(Randall Livings): Sorry, I was hoping somebody else would raise their hand.

Man: No, you're the man.

(Randall Livings): The issues old enough I think that people are forgetting where that number came from. Diagnostics and workforce committee, (USAHA) joint maybe (USHAVLD) did a study two or three years ago where they polled the labs and talked about, you know, if you were to do this minimum level of this, this, this and this how much more support would you need and I don't know that the \$30 million is exactly the thing that came out or whether that's been inflated since the two or three years ago that that was done. But there is something behind that figure. It's not just pulled out of the air or every lab ought to get a million or that sort of thing.

Woman: What is the current level of fudging, do you know? A ball park figure even.

(Randall Levings): Well, the (on line) from APHIS - I don't know, maybe six. (Michael), can you help me there?

Yeah, it would be in the low single fingers and basically the president's - well, the 2012 budget on the (NEFA) side was basically zeroed out but they got some back and there's some back in the bill but it's pretty minimum too.

Man: Yeah, they had - (NEFA) funding went to the core laboratories and to the other activities that were funded through the other side's budget and I think in the reconciliation standoff. They lost half the funding in (NEFA) last year. The house committee did not put in money. They lobbied and got it put back in and I don't think the senate appropriations - the Senate hadn't adopted funding appropriations bill for Agriculture yet, have they?

Man: I think that's right. I think they talked about that USAHA. We don't know what the Senate did. And to that point, the (unintelligible) funding, like you say, was - kind of goes all the way back to the beginning of NAHLM set of 12 laboratories. And it's always been an issue that the other laboratories in the NAHLM for various reasons were expected to do certain things. And so how can you expect them to do that when it's not funded. Okay, then we'll expect less. Well now you don't have that constant surveillance so we started doing payments for surveillance. So, that's - the reason I'm going into that is somewhere that 30 million came in.

People thought that everybody ought to be doing what the 12 were asked to do but they were funded. So, okay, how much money would that take to get it there for the 40 plus labs that are in the NAHLM?

(Boyd): A large part of the money that goes to the non-core labs is in member agreements and is for the specific purpose of the quality control systems to

assure accurate results and messaging to assure rapid results. So, that's where that part of the funding is going now.

(Randall Levings) Oh, I'm sorry. I'm (Randall Levings). I'm with (unintelligible) services diagnostics.

Woman: Thank you.

Man: (Randall), up here in the justification, they're talking about to sufficiently meet US Food Security Animal - it says that 30 million is needed to annually support a fully functioning lab infrastructure. So, in that study that they did, was that a one time computer capability and is it \$30 million that they need that every year to - I mean, it looks like once - I know computers get modernized but...

Man: So, it's not just the message in the system although that's what (unintelligible) was paying for minimally on the non-core which that mode of terminology we still use it. On the other labs, we were trickling in, you know, \$20, \$40,000 for the IT systems - that's messaging so we that we can translate from the limbs into the national database. My vague recollection is that what they're probably talking about is VSL 3 space. So, once you build VSL 3 space, you've got to keep it accredited. You've got to train people on it. You've got to, you know, change out filters, et cetera.

So, I couldn't tell you how much VSL 3 space or whether every lab was supposed to have somebody because that's a policy decision. If you have an outbreak in your state or you're already dirty and you don't need VSL 3 and the only labs that need VSL 3 are the overflow labs or what - but when they say infrastructure, it's assumed that the states are going to kick in a lot of funding and that the users are probably going to pay user fees to keep the lab,

you know, at least warm. This is like over and above so that you can handle poor animal diseases.

(Boyd): Also, this system, I believe, is - one little thing it's doing is it's part of rolling out to the non-member labs the ability to run (unintelligible) and classical swine fever without having send it all to (Plums) confirmation but in an outbreak it could be run right in those labs. So, that's an ongoing - you know, they've got to certify every year even though they're not - nobody's paying fees to run them.

Man: (Liz).

(Elizabeth): Having just come back from the (unintelligible) Russian laboratories working out African swine fever. It's pretty sobering and it brings to mind how important a national animal health laboratory system is. I think we need to be very careful about how we word such a recommendation. Because if we say we want the secretary to prioritize \$30 million for NAMM, it's at what expense? So, it's not going to be new money coming to USDA. In fact, we heard there's going to be a lot less money. So, in my prejudice I might say, let's take \$30 million away from, I don't know, puppy mill inspections. But we need to be very careful to balance what we're asking for against what it might be taken away from.

So, I'm very much in support of a strong NAMM but let's be very careful how we wordsmith this recommendation.

(Boyd): And maybe not putting in an amount but just expressing support for the NAMM and it's a staple funding without listing an amount might be more appropriate.

Man: (Gilles).

(Gilles): It strikes me that if we don't have a good reference lab - is that the right term - system here - all of the stuff that we've been talking about is compromised, right. In other words, we could do without the traceability but we can't do without the good laboratory system behind it. So, our recommendation should address that somehow, you know, that we feel that this is a priority area of funding.

Man: I agree with (Elizabeth) that we need to be careful what we ask for though. If you look at the...

Man: Maybe it is. You're just not close enough. Yes. Turn it on again.

Man: Now? I agree with (Elizabeth) that we need to be careful what we ask for. I mean, if the fiscal year 2010 funding was \$9 million for the NAHLM system and we ask for 30, it's got to come from somewhere else and we need to justify - provide some kind of justification or maybe some itemization that maybe we need to maintain that critical ten and then add more to it for the following purposes, or something like that. To just ask for three times as much without a justification seems difficult.

Man: (David).

(David): I agree with what (Gilles) said just a minute ago. I think we may leave the numbers out and leave it up to their good judgment but I think the diagnostic lab network is of utmost importance. And anything else we recommend is a moot point if we don't have a strong diagnostic lab network.

Man: Okay, it seems like everybody is in favor of a strong NAHLM. The only question is how do we - what do we say in our recommendation?

Man: We could say that the secretary is advising - community recommends secretary support adequate and sustainable funding for the National Animal Health Laboratory Network. Don't worry, I'm thinking as I go along. That the secretary support adequate and sustainable funding for the NAHLM in order to ensure food safety and security, animal and public health and the United States economy.

Judith McGeary: I'd almost like to strike that a little bit because we haven't had any indication that the secretary doesn't support that. I think from - and I see a couple of people have raised it - and I agree with not putting up numbers because, you know, we don't have the whole budget in front of us to sit here and cross that line out - but I think what I think so far is a sense from committee members it's not just "Jesus is a good thing" but if you're asking us on our priorities of at least what we've covered so far - you know, what the things this committee has talked about so far - you know, this is one of the top of the list and I think now it's perhaps a more useful message to the secretary who probably supports it but may not be sure where he wants to - where he wants to rank it himself.

Man: How would you tweak it?

Judith McGeary: The committee - I mean this could be something where we have a little bit of preparatory - I mean, preference language that the committee recognizes the NAHLM as a critical element of animal health in this country and a priority for funding.

Man: And then go on and say...

Judith McGeary: "The committee recommends..." and that gives a bit more context.

Woman: Could I suggest just putting one more word to Judith because I think that's very strong for a statement but maybe it's a critical element of safe guarding the animal health.

Man: Other suggestions, discussions? People are ready to weigh in on that?

(Boyd): I'll move it if that's the language if it already hadn't been moved.

Man: So, Dr. (Parks) moves. Dr. (Fisher) seconds. We have a motion on the floor. Any other discussion? All those in favor signify by saying Aye.

All: Aye.

Man: Oppose, same sign. Any extensions? Motion passes unanimously. Okay. Good.

Woman: I skipped one thing on dairy because it wasn't about tagging, it was about the definition of dairy. Do you mind going back to dairy?

Man: No, I don't.

Woman: Really folks, trying to keep this one short. I probably have a - I actually went back - the proposed rules in phase one requires all dairy cattle to be IDed. We'll definitely include a phase in. We actually already have this in Texas. A couple of years ago back in, I think '08 - Texas imposed tagging requirements on dairy cattle. And I raised an issue with Texas Health Commission at the time and I've gone back and asked my dairy producers has this proven to be a

problem and the answer is "yes." Specifically, the biggest issue is, "What is a dairy cow?" And the answer to that has played out in Texas, "It depends what sales barn you go through."

Some sales barns only recognize whole steams. Some recognize whole steams in Jersey. Some actually figure that Guernsey breeds are probably dairy cows too. You know, some of our small producers who use mix purpose or dual purpose breeds have been confusing the hell out of their sales barns by talking to them about short horns. It's just one of those issues that - on the one hand I think probably - actually I know from talking to Texas regulators their view is, "I know a dairy cow when I see one." But it's not that simple on the ground.

And I think that if we're going - well, we're not writing rules, FDA is writing a rule - but I feel pretty strongly that rules should be clear and they should depend on which sales barn you happen to be in or which official has to be overseeing that sale and I'd like her to put together some sort of clarity to the definition of dairy cow.

Man: Discussion?

Woman: The word could be confusing and so maybe we can make a recommendation that I believe there is a dairy species working group that has worked on identification. Perhaps, that species working group could come up with a list of the breeds that should be covered. I don't know if that is within or outside of rule making but that might be - that would be the experts working on the issue rather than those of us who aren't dairy men trying to come up with a solution that we won't know what we're talking about. At least I confess I won't know anything about this one.

- Woman: I've had my ear twisted enough to feel that I'm an expert but that's by having my ear twisted a lot by my dairy guys.
- Woman: And maybe Dr. (Hammerschmidt) can tell us if there's been a dairy - is he still back over there? He's ignoring us. Has there been a dairy working group. I know we've had the swine species working group that had met over some time. I don't know if the dairy people had the same.
- Man: There is a group - I'm not sure how active they have been but recently - (Idairy) I think was the phrase they latched on to that represented a significant part of the dairy industry. We can certainly - Jamie Jonker was kind of the lead on that at National Milk. We can certainly consider that for their input.
- Woman: I'll share - I mean the species - the breeds that are used for dairying commercially that I know of (unintelligible) are (unintelligible) into small extent the Jerseys and (unintelligible) and anything else.
- Man: (Unintelligible)
- Woman: Ground (unintelligible). Milking short horns - a lot of our folks are using as dual purpose. Those are short horns. They end up...
- Man: Milking short horns dairy breed registration.
- Woman: But, okay, then you also get short horns that are dual purpose. I mean there's a lot of the cross breeding. Again, that becomes the problem. So let's say you have a short horn who's got one grandparent who's a milking short horn, you know.

- (Boyd): It's possible we can ask for more specificity in the rule. I mean there is a statement in there that something to the effect that breeds commonly associated with dairying or something like that - is a little - to me is a little...
- Woman: A dairy cow is a dairy cow.
- (Boyd): ...a little bit loose. Possible to ask the - make the comment that there be some more specificity attached to that definition for more clarity.
- Man: For reference - in our efforts to prevent the import of dairy breed or dairy cross steer from Mexico we specified whole (stein) or whole (stein) cross in our rules related to importing feeders (unintelligible) from Mexico. So, possibly listing breeds would take away this sense of vagueness.
- Woman: And yes certainly I think also that's valuable specifically on the cross. I hadn't thought about that. So, for instance, whole (stein) cross is still very commonly dairy but by the time you get a milking short horn cross, that's a dual purpose and they may not be as (unintelligible) at all or think of it as a dairy cow, so. You know, that - clarifying whether where cross would qualify would be important.
- Man: Yes, if you want to draft a statement or put a recommendation up there.
- Woman: The committee recommends that USDA specify which breeds and if applicable, which crosses are included within the definition of the dairy cattle. And those of us with dairy constituencies can weigh in on the specifics.
- Man: That is pretty clear. Can you just highlight that in the key margin? There's no special tab for highlighting.

Man: I guess a question comes in - I mean, were they - I'm all for clarifying and getting some further validity - we often have this problem. They're talking probably about a production class and not a breed. You know, the simple solution is animals that come from a place that sells milk - those are dairy cows.

Woman: Yes, and I almost like that better.

Man: It could be a Simmental.

Woman: I almost like that even better but that's not how they approached that at all. I was starting where USDA was approaching at which was they did an on-breed with no definition.

Man: And do we want to ask for a more broad clarification in our recommendation to give them latitude to maybe go in a different direction other than defining breed?

Woman: Okay.

Man: Ask for greater clarity in what is meant by dairy cattle.

Woman: That USDA provide a definition of dairy cattle - a concrete definition of dairy cattle that is specific enough for producers...

Man: Yes, more specific.

Woman: ...to understand what is required - that USDA provide a specific definition for dairy cattle, quotes - you know, (unintelligible) a dairy - sufficient for producers to understand the requirements because that's what I'm worried

about. Does our producers - (unintelligible) being called by my Texas dairy men - that they're like, "We don't know which ones have to be tagged."

(Boyd): You want to add the one clear after specific?

Woman: Perfect and clear. We can also add - you're right (Boyd), I would perfectly be happy with a provision that says a commercial dairy or - you know, there are all sort of options.

Man: Dairy producers to determine requirements?

Woman: Can you think of a better phrasing? That is...

(Boyd): Producers to interpret.

Man: Okay.

Woman: Okay.

Man: "Interpret requirements" - is that what you mean?

Woman: "Understand" I would say rather than "interpret" because the whole point is getting away from interpretation.

Man: Okay. "Sufficient for dairy producers to understand the requirements."

(Boyd): I don't think you need the requirements. Just "understand."

Man: Period after "understand"?

Woman: Yes, I think so. It is "understanding" with a definition.

Man: All right. A volunteer?

Woman: Yes, I'll volunteer. God help me. I will. The only reason why I'm not putting forth a definition actually is because I suspect, first of all, A, it's been a long day and B, that more than (Liz) - that quite a few people probably share her sense of not feeling enough expertise to get into the nitty gritty of the definition. But yes, you have a volunteer.

Man: (John Kalmey) since he's not here. I hope he's not that sick because usually if you're not here, you get volunteered for something.

Woman: That will work too.

Man: A dairy farmer.

Woman: So, shall I formally - any other edits before I make this formal? Okay, I formally move for the committee to recommend as written.

Man: Is there a second?

Man: Second.

Man: Second, (Boyd). Further discussion? All that's in favor signify by saying Aye.

All: Aye.

Man: Oppose, same sign. Extensions? Motion passes. Unanimous. All right, we're at the public comment time. Are we - 4:00.

Man: We'll take up the National Assembly letter.

Man: Yes, I wanted.

Man: Let's take five minutes for the National Assembly letter for anybody to comment on. I just provided that as a point of information for committee members to know where - you did and I - you've got an electronically too, some of you.

Woman: Yesterday.

Man: Some of you - Sorry, I was a little late.

Woman: I guess a lot may not have printed it because a lot of folks were on the road.

Man: I know. So, I just wanted the committee to be aware that the National Assembly is all a 50 state veterinarians and we meet once or twice a year - we meet at the U.S. Animal Health Association meeting and when I counted at one of our meetings we had 40 - I think we had 48 or 50 state veterinarians there at one point. So, it's an important meeting for all the state veterinarians. We also try to meet during the National Institute of Animal Agriculture Meeting but it's usually - there's less state veterinarians there. So, we've had quite some discussions of traceability over the years and we had a working group that had a lot of input in the rule. So, this letter was drafted and sent to the secretary a couple of weeks ago. So, I wanted you to be aware of that.

(Boyd), do you have any thing to add to that?

(Boyd): No, I think you described it well. And in the spirit of this - on behalf of state veterinarians I would hope as a committee while we have certainly commented on several things and probably will comment on more as a committee and individually, that we take a position on the advancement of a rule. And that parts of this letter might serve as a basis for that. You know, we can take something out of that to do that. Probably should have it in front of me exactly what words but it's basically acknowledging the diversity and the comments but supporting a step forward. This is a - it's important and urgent, you know, to go through the process. (Bob), did you have suggestive language on that or?

(Bob): Well, I had kind of taken out a couple of sentences out of it - I gave away all the copies of it, so. I think I basically said, "Many states have systems of tracing interstate movements of live stock but there is a federal rule that provides for uniform effective national system" - kind of cuts off weird - where did I start? Oh, it's at the end. The last paragraph. I took out the "get" but, "Many states have systems of tracing interstate movements" and on "but until there's a federal rule"

So I don't know whether the committee can support a sentiment in line with that last statement, you know. Our group has already weighed in on it - meaning the National Assembly. So, I just put this out here for the committee's comment, discussion - (David)?

(David): I think it's very important that we support this because, in spite of all the discussion about difficulties and certain details and things that need to be resolved - I think the overall sentiment needs to be that we need to move on this. I mean, the protection of the live stock industry in the United States and the food supply of the United States depends on making progress and traceability.

Man: Others?

Woman: These microphones are confusing to me. I think that the difficulty for me on a statement like this would be that the issues we've been discussing today aren't just details. We've made some - in my opinion - great recommendations. I realize there's been disagreement on some of them and unanimity on some of them. But from my stakeholders, this is a situation where if a lot of this doesn't get changed, the rule could do more damage than good. So, it's very hard to come out - you know, I can't come out in good conscious and say we support a rule moving forward when there's some significant issues. I appreciate this committee addressing but this committee is an advisory entity not that we control what USDA does.

(Boyd): And I respect that position but I do feel kind of like we did the show stoppers issues - I would have fallen out of my chair if we got a unanimous vote on this and we might have a division but I - if I had the specific language - which I had something in here but it's off the edge of my screen so I can't read it off. I would like for us to entertain and maybe we can work on getting the words on how to word a resolution and see where it goes. It passes or it doesn't. We'll see where we go.

Man: (Gilles).

(Gilles): Yes, It's a big problem with this rule. It's that it only addresses what is mandated to producers. None of the other requirements are covered and presumably some of them will be covered in future rule making. And, you know, certainly the - I'm sure there's 100% agreement among the committee that the concept of traceability is very important and we certainly do support USDA moving forward on some national standard but, you know, we do need

them to come out and say what are the responsibilities of the other actors?
You know, what are the responsibilities of the state veterinary services?

And, you know, one of the things that really jumped out at me in this letter is the second to last sentence of the second paragraph.

"And we also recognize that it will be central at all man made identification devices be removed at slaughter and correlated with the caucuses to final inspection by means of approved by the food safety inspection services."

Well, that just says there's more to this traceability than just I put in an ear tag, right. And I think it's no problem to do a resolution, let's say, that we are in favor of the concept of traceability but I think we should also address that we're also in favor of, you know, to find out what is the requirements on all of the actors involved.

Man: Thank you.

Judith McGeary: Break for public comment.

(Gill): Judith, I didn't mean to belittle the concerns by calling them details and I certainly agree that many things have to resolve but I would think that a secretary advisory committee on animal health could at the very least endorse the concept of traceability.

Judith McGeary: Well, I'd say - and I think we said we would try to break at 4:00 to respect the public comments.

Man: Do you want to break and - what are we...

Woman: Let's not break. Let's just check in with the...

Man: I don't mean break. I mean break the discussion and go to the public.

Woman: Exactly. Let me check in with the public attendees and ask if there's anyone attending that would like to make a public comment. Okay. Please let me, let me - could you please state your name and where you're from for the record.

(Nancy Robinson): I'm (Nancy Robinson). I'm Vice President for Government Industry Affairs for Live Stock Market. I think I lost my - but I mostly wanted to comment as coordinator of the Cattle ID Group and not for LMA because (Charlie)'s here representing LMA and the market infector. The Cattle ID Group is 14 national and a few regional state cattle organizations and we do represent a huge number of producer - cattle producers - market operations in the United States through these organizations that came together initially to develop recommendations to the secretary on animal disease traceability program that would respond to the concerns that producers and marketers had relative to the NIAS program.

I just wanted to comment that we really appreciate - I do certainly as a coordinator of that group - all the discussion that has gone on today with the animal disease traceability and particularly the fact that you have developed recommendations or resolutions, suggestions to the secretary on the rule that very much mirror many of our own recommendations, concerns - and respond to concerns we have within the Cattle ID Group as to the animal traceability rule.

In general I think I can safely say that the Cattle ID Group - though there are - we're a coalition but we do have some differences just like this group did on individual issues that have come before us regarding the ADT rule -- proposed

rule. But in general, I think I can safely say that the Cattle ID Group is largely supportive of phase one with modifications based on comments that our individual or organizations will make available in the public comment period. But again, I just want to take the opportunity to let you know that along with all your discussion today, they're very much in tune with a large segment of the cattle industry in this country. Thank you.

Man: Thank you (Nancy). Other comments from anybody else in the room?

Woman: Okay. I think that's done.

Man: Anybody from...

Woman: Sorry, I didn't - please state your name and where you're from.

(Kelly Levlin): (Kelly Levlin) with American Farm Bureau and I just wanted to echo many of the sentiments that (Nancy) shared. As many of you know, we're a general farm organization that represents producers of every species and so, we wrestle with a lot of the same issues that you all have wrestled with today. Representing different segments of production - animal agriculture and certainly recognized that as a species, the cattle industry probably has the biggest challenges because of the distances yet to go. And so would associate with the comments that (Nancy) made on some of those issues and phase two.

But I think this is a really important discussion to have to be able to move forward with a proposed rule on animal disease traceability which our policy supports that volunteer program. And so, just want to again just kind of associate, second (Nancy)'s comments and say thank you all for your hard work because this is, again, what our producers of all species are kind of wrestling with as well. So, thank you.

Man: Thanks (Kelly). What about people on - no? No, oh.

Woman: (Unintelligible)

Man: But no one's requested. Just two comments.

Man: Got to be here, all right. Okay. So, we're good. So we want to resume our discussions? Yes? Anybody have any draft language?

Man: I've got post addings. So let me - I'll start.

Man: Okay.

(Boyd): Taking from that last paragraph on the National Assembly. "Many states have systems of tracing interstate movement of live stock, but until there's a federal rule that provides for a uniform and effective national system, we will be unable to effectively control and eradicate program diseases we presently encounter or respond to new or emerging diseases we know will surface in our future."

And then skip down to the, "Committee believes the proposed animal disease traceability rule will provide an important foundation upon which we can continue to form the system to protect the live stock industries we serve."
Maybe different words there, but something. Is that sufficient? Take the "live stock of this country" instead of "industry we serve." That's more appropriate - the national assembly.

Man: Did you get that RJ?

RJ Cabrera: Yes, I'm going to start with the second.

(Boyd): I certainly am open to adding and that the "proposed animal traceability rule."
We could add a comma. With due consideration to all submitted comments
and recommendations that come in...

Man: And this is where I thought we might come back to something that (John
Counning) said also at the end of his statement which was the
recommendation to the USDA (unintelligible) secretary to ensure that industry
continue to be involved in the process and that they encourage states to
recognize the available industry partners and begin to launch their systems or
something like that to, you know, say that, "The committee is" - I know the
state veterinarians were appreciative of the input that we've had over the years
-- many years into this process. We're also cognizant of the fact that we're not
the only ones involved in it and that we really would like to make the point
that industry continue to be involved in the process also.

(Boyd): I think that would be a good addition, you know, to put that on. And what I
thought, "The committee believes proposed animal disease traceability rule
after due consideration of the comments submitted and suggestions will
provide" and then move on. That would be a good place to insert, you know,
that we recognize refinements are in order. And you can word that other
sentence.

Man: RJ.

(Boyd): Well, my first sentence was starting on the last paragraph, the National
Assembly letter mini states but I left out the beget - systems of tracing animals
- I put all of it except the beget down to future and stop there and then I
skipped where it says, "We believe" and I said, "The committee believes

instead of "We believe." The proposed animal disease traceability rule after due consideration of the submitted public comments will provide...

Woman: Can I ask a question. I missed the email. So I don't understand what the requests from the veterinarian group was or was it just to...

(Boyd): It was not a request to us. It's just information. They have submitted this letter as an official comment on the (unintelligible).

Woman: It's already in?

(Boyd): Yes, it is.

Woman: So, I just don't understand why we're rewriting the letter or...

(Boyd): No, this wouldn't be us writing a letter. This would be us as a committee adopting a similar position.

Woman: Is that necessary? I guess I just feel like this letter is for endorsement from the committee to strengthen the letter to the secretary, no? I'm not I guess - I don't know how this language will conspire to the secretary without referring back to the original order.

(Boyd): Well, it would be comments. We're not on record after the rule has been published as being in support of the rule overall in general. And I think that should be one of our main missions as his advisory committee our opinion should carry as much weight as many he receives.

Man: And I guess (Vikki), to back up - you know, I'm just one of the members of the committee and I went out to my stakeholders who primarily are state

veterinarians for me and said, "How do you fee about the rules at our meeting?" I said, "Are you going take a stand on this rule?" And the letter subsequently came out that was sent to the secretary. So, I just provided to the committee as input from my stakeholder group and that's it. And I'm so - this discussion has ensured us - maybe the committee - not endorsing the letter because the letter is specific from state vets but maybe making it some sort of a statement on the rule from the committee to the secretary.

So, that's the history of it. Did you also want to say something about the comments and recommendations that have gone on so far today or something? Didn't you say something about putting that in?

(Boyd): Due consideration I was not limited to our comments. I was encouraging due consideration of all comments submitted by the public. You know, you listen to what the public has said.

Man: Okay. I thought you said something about the committee's recommendations today.

(Boyd): I don't have a problem with doing that but...

Woman: Can I ask one more question? This is for (Neil)?

Man: Sure.

Woman: How many comments have you gotten so far?

(Neil): None. Can go on regulations.gov and you can see the exact numbers that are there and take a look at the comments themselves.

Man: And RJ I'd like to also add on the end of there the committee recommends that industry continue to be involved in the process as it moves forward or something like that. Something that reflects (John Kalmey)'s statement at the end of his two-page letter.

Or that the agriculture industry or agriculture stakeholders or something like that. Yes?

Woman: Stakeholders.

Man: Stakeholders. Agriculture stakeholders? Producers?

Woman: Stake.

Woman: Be involved in the process.

Woman: I'm not going to wordsmith this. I am going to make a very general comment about the concept of it and the approach which is simply, you know, there were a couple of comments earlier in this discussion about this committee endorsing the idea of traceability or there's a role for traceability and disease control. You know, this - both the letter and even this shortened version here is very specific about the proposed rule providing an important foundation for the system and the need for a federal rule to override state and things such as that.

And that's to me, you know, necessarily implicates a lot of specifics. We're not just talking about traceability as a vague concept. We are talking about endorsing the rule even with - and I appreciate the qualifying language that has been included about due consideration. The bottom line is we don't know what USDA will do with that and again - I can only speak for my stakeholders

but I know my stakeholders look at this and say, you know, without some pretty significant changes that there's a lot of potential for harm and endorsing the rule itself is a step that is very different from endorsing the concept of traceability.

Man: (John).

(John): Thanks. There are a couple of three things. First, the general concept. I would agree with the idea that (David) originally brought up and that is it's important for our group to endorse a traceability rule - and not everybody's going to be happy. If everybody is happy with everything that's published in the federal registers, something's not right. But I think it is important for this group to recognize the importance of traceability rule and the endorsement not of a specific rule but of the concept. And as (Boyd) has clarified in due consideration of the comments that are provided, not only by this group here but the 500 plus that are going to comment on this thing.

So, I think it's important that we do that. With the language that's up there, it take a stab at some wordsmithing. Just to broaden it a little bit. At the end of the first sentence it says, "To protect U.S. live stock." Well, I'm here representing free ranging wild life and we're interested in the health of those animals. And also I think we're talking about public health here as well in some instances. So, its broader than just live stock. And when we talk about - in the last sentence here about the agricultural stakeholders - again, there are stakeholders that are not actually in the agricultural industry here and so, free ranging wild life management agencies and other people associated with those types of things.

So, I would offer some - yes, when you say stakeholders that covers everybody.

Man: Okay. Do you have some suggestions on the previous comment?

(John): To protect U.S. domestic animal wild life and human health - something along those lines. Because you're basically talking about one health scare. Not just live stock.

Man: Yes. You have that RJ?

(Boyd): And then the insert of the traceability rule will provide after due - and then that we will put, "After due consideration"

Man: We will appropriately label the word.

Man: Do you have that RJ? Say that again (Boyd).

(Boyd): "After due consideration of submitted comments from this committee and the general public."

Man: Committee recommendations and public comments?

(Boyd): Committee recommendations.

(Gill): Two things. The first sentence - would it be all right to say, "The committee believes in the concepts behind the proposed animal traceability rules." That means we aren't endorsing the rule as per se but in the general concepts. And then a final sentence that, "We urge the secretary to move very rapidly to define the parts that are missing in this traceability rule." How would you say that? Because there's a whole lot missing.

(Boyd): That's somewhat why you say this is a foundation. It's not a final solution. So, I would infer that from the foundation part.

Man: I don't know if I would. At lunch you mentioned that there's another rule making process going on and it has a name...

(Boyd): Performance Standards.

Man: Performance standards.

(Boyd): It's supposed to be a separate - you know, none of that's addressed here. (Unintelligible) the start is what I view the foundation means.

(Gill): This is a start but I think we need to say that somehow. This rule without that rule is not necessarily the best way for the industry.

(Boyd): But it obviously - if we do this and stop here, then we're not going to get very far. I think that's what you're saying - I think (Don)'s working with some language.

Man: Yes. What was the last sentence? I was working on the last sentence. (Gill) what did you say, (Boyd)?

(Boyd): Well, (Gill)'s was talking about referring to other things that we needed to do as well - that this was incomplete. I was suggesting that the word "foundation" in there inferred that already but maybe he can say it better.

(Gill): Well, I think "foundation" hints at it but - I think we should be a little bit more specific about that and that we urge the secretary to move forward and publish

the entirety of the rules necessary for a traceability system - interstate traceability system.

Man: So, at the end you would put, "The committee also encourages the secretary to move forward..."

(Gill): "on publishing" ...

Man: "on publishing" ...

(Gill): ... "the" - I'm trying to find the right word here.

Man: "The committee also" ...

(Gill): The rest of the story here you might say...

Man: ... "also recommends the secretary" ...

(Gill): ... "to move forward on publishing the requirements for the other actors in order to have a functioning system."

(Boyd): I think I support what you're saying but I play devil's advocate on the other side. We all want to move forward as fast as we can but we just finished a long discussion on showing how we want to be sure that we can do certain things before we do others. So, that can be construed by some as going counter to our earlier actions. It urged demonstration of phase one being successful before you move on, possibly.

(Gill): Yes, but you know, we still haven't dealt with that issue of unfunded mandates. You know, back in - what was it, February, March - we said we

didn't want an unfunded mandate but nobody has a definition of what an unfunded mandate is. And it's still a big elephant in this room. And I'm not sure if we have enough collective wisdom to put together a definition of what an unfunded mandate is but let's not forget that, you know, we don't want to end up putting a bunch of permanent mandates on producers and not have a system that delivers any benefits.

Man: We haven't finished the last sentence yet.

(Boyd): I think what (Gill) was referring to is a new rule making process which is referred to in this one about the performance measures and consequences. Is that right (Gill)? Is that what you're referring to?

Man: Another way to put it might be that, "The committee recognizes that the rule was only the first step in an overall traceability system and that they urge the secretary to"...

(Gill): "move forward with other aspects."

Man: ..."move forward with other aspects of the rule."

Man: Is that good? Okay, "The committee recognizes that the rule is only the first step in a comprehensive system of traceability and recommends that the secretary move ahead forward on"...

Man: ...publishing rules.

Man: ..."publishing rules to"...

Man: ..."the other aspects."

Man: ..."move forward on publishing rules to define other aspects of the system."

(Boyd): If we finished wordsmithing, I'll put this before us for discussion by making a and forming a motion.

Man: Seconded by (Liz). Discussion?

Woman: I had my say.

Man: Further discussion on this side of the room? (Unintelligible) at that end of the table. How about the corner over there? Any other discussion over there? (Max), you're so silent. You don't have to say anything. He just wants go get out of here early. Okay.

(Max): Can I go back to sleep?

Man: All right. Genell's not even facing me. Okay. Ready to vote? All those in favor signify by raising your hand. You got it? All those opposed raise your hands please. Extensions? Okay, motion passes. If you wish to write a dissenting opinion, you certainly have every right to do so. (John)?

Man: RJ, that was 15 to 2 and we're missing Dr. (unintelligible).

Woman: So we can ask him when he returns.

Man: Okay. (John).

(John): This is just a suggestion based on having a lot of comment letters on rules in the past and I don't know how we want to proceed here but one suggestion

would be to start our committee report and recommendations with something like this paragraph that we just came up with here and then below that list the specific recommendations that we have developed during our discussions today. I don't know how our report is going to look but that is just one suggestion based on the format of a lot of comment letters I've drafted and seen in the past.

Man: Thanks (John). I think it's probably - we'll take that into consideration certainly - Judith and I...

Woman: We have a - I was thinking we'd follow this but we'll consider that.

Man: We usually rely heavily on RJ. Don't we RJ for your extensive help. Is there any other business to come before the committee today? A motion to adjourn? Second? All in favor, say Aye.

All: Aye.

Man: Thank you so much for your hard work today.

Woman: Absolutely.

END