

UNITED STATES DEPARTMENT OF AGRICULTURE

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ANIMAL AND PLANT HEALTH INSPECTION SERVICE

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ANIMAL DISEASE TRACEABILITY:
INDUSTRY FORUM ON THE PROPOSED FRAMEWORK

+ + + + +

PUBLIC MEETING

+ + + + +

FRIDAY,
AUGUST 20, 2010

+ + + + +

The public meeting convened at the Doubletree Atlanta Airport, 3400 Norman Berry Drive, Atlanta, Georgia at 8:00 a.m., Deborah Millis, moderator, presiding.

PRESENT:

- DEBORAH MILLIS
- THOMAS J. MYERS
- BECKY BREWER-WALKER
- CARTER BLACK
- JOHN WIEMERS

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1 P R O C E E D I N G S

2 MS. MILLIS: My name is Deborah
3 Millis, and I work for USDA, and I will be the
4 moderator today. So if there's any questions
5 that come up that you have about the agenda,
6 or anything like that, you let me know and
7 I'll do my best to get them answered to help
8 you be more comfortable.

9 Let me tell you a few of our
10 logistics. On each of your tables there's a
11 list for questions, should any come up that
12 were either in a different discussion or
13 there's not been an opportunity to ask. We'll
14 ask that you write those down, and throughout
15 the meeting I'll be collecting those. And if
16 you don't have this list on your table
17 anymore, I can get you another copy. So we
18 want to be able, at the end of the day, to
19 address questions that may arise during this
20 meeting.

21 Second, you'll see some of the
22 tables have labels on them with a species

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1 name, and that's for our break out discussions
2 that we're going to have today. We're going
3 to have at least two of those, and it could be
4 that you don't have an interest in the label
5 that's on your table, and that's fine, just
6 get a different, or move to a different table.
7 And we've got such a small group here today,
8 it'll be pretty easy to move around and richer
9 discussions at these tables.

10 Let me tell you a little bit about
11 our agenda today. First up this morning we're
12 going to hear from Dr. T.J. Myers from the
13 Animal Plant Health Inspection Services and
14 Veterinary Services who will welcome us here
15 today.

16 And we'll hear from representative
17 of the regulatory working group that's been
18 gathered together to draft the new rule that
19 USDA will be sending forward. And we'll also
20 have an opportunity to get a little background
21 on what the USDA position is on these issues
22 and what the current thinking is at this time.

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1 And then following that we're going
2 to break out into smaller groups and we'll
3 have sets of questions at each of the tables,
4 and we'll ask our USDA folks to track those
5 discussions so that we can report those out in
6 the larger room, and we'll do about two rounds
7 of that, and they'll be plenty of opportunity
8 to bring your comments and your input forward
9 into this rule making process.

10 And so with no further ado, I want
11 to introduce Dr. T.J. Myers to kick it off
12 this morning.

13 DR. MYERS: Thank you, Deb.

14 And good morning, everyone. I just
15 wanted to welcome everyone to this meeting on
16 behalf of our Secretary of Agriculture and our
17 APHIS administrator, and John Clifford, our
18 Deputy Administrator for Veterinary Services.

19 We really appreciate everyone
20 taking the time from your busy schedule to
21 come to a public meeting like this. It really
22 is critical to get your input on the

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1 activities that we're engaged in, and the
2 plans that we're developing for animal disease
3 traceability. Without that collaboration, I
4 don't think we would have as good a product in
5 our regulatory drafting as we might.

6 Today's discussion is one of a
7 series of public meetings that we're having
8 here at the end of August that follow up some
9 public meetings that we had earlier this year,
10 back in May and June. In May and June we were
11 fairly early on in our thinking regarding the
12 drafting of the animal disease traceability
13 regulation. Now we're a little bit further
14 along. The working group that Dr. Becky
15 Brewer represents has been working very hard
16 to come up with more details and more
17 specifics than we've been able to present in
18 the past.

19 So today's going to be a little
20 information dense, but we are going to ask you
21 to take a look at where our current thinking
22 is and to provide your input on what you see,

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1 what you like, what you don't like, what could
2 be better, what could be strengthened. So we
3 really do value your input and we really do
4 look forward to the discussions that we're
5 going to have today.

6 So again, welcome.

7 MS. MILLIS: And then I'd like to
8 introduce Dr. Chris Young, the area
9 veterinarian in charge with Veterinary
10 Services here in Georgia.

11 DR. YOUNG: Well, I'm a stand in,
12 but I'm going to give you a welcome to Georgia
13 and actually thank you all for the welcome
14 that I received. This is just one day and one
15 month that I've been here in Georgia, so I'm
16 the new area veterinarian in charge in
17 Conyers, so welcome to Georgia.

18 And for those of you that are from
19 Georgia, I hope you'll take a moment today and
20 introduce yourself, tell me about your
21 business and where you are and what we can do
22 in Conyers to help facilitate your business's

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1 trade and movement of livestock while we help
2 safe guard those animals.

3 So welcome here to Georgia, and I
4 look forward to a productive day and to
5 meeting everyone. Thank you.

6 MS. MILLIS: Thank you.

7 Dr. Carter Black has some words for
8 us after a moment, but he was called out and
9 will be back in a little bit later. So we'll
10 give him the floor a little bit later.

11 And, T.J. and Becky, I think we're
12 turning it over to you to hear a little bit
13 about the current thinking on traceability.

14 DR. MYERS: Thanks, Deb.

15 Well, the usual flow for these
16 public meetings is that we have the state
17 veterinarian talk a little bit about the
18 utility of traceability from a state
19 perspective. Unfortunately, as Deb said, Dr.
20 Black had to step away for a phone call with
21 his ag commissioner. So we're going to do
22 things a little bit out of sync. We'll talk

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1 about the framework for animal disease
2 traceability and our current thinking, and
3 then we'll have Dr. Black come and speak to
4 the group in a little bit.

5 There are two handouts in your
6 packets -- there's a lot of handouts in your
7 packets, but there's two in particular I want
8 to call your attention to that will help you
9 follow along with the presentations that Dr.
10 Brewer and I are going to be making. The
11 first is you have a copy of the slides that
12 are going to be up on the screen, so you can
13 follow along, you can make notes, you can do
14 whatever you'd like with those.

15 And then the second handout is the
16 one that's titled Animal Disease Traceability
17 Framework Overview and Current Thinking,
18 August 13, 2010. And that has a couple of
19 charts in it that are not on the slides simply
20 because they're too wordy to fit on a
21 PowerPoint slide and be able to be seen from
22 the back of the room. But whenever Dr. Brewer

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1 gives her talk, she's probably going to be
2 referring to that handout, so I just wanted to
3 make sure that you had those two in front of
4 you as we work our way through these slides.

5 So, again, I want to welcome you to
6 this public meeting on animal disease
7 traceability. And what Dr. Brewer and I are
8 going to be doing over the next few slides is
9 bringing you up to date on our current
10 thinking.

11 The current thinking that we've
12 developed on the proposed rule that's being
13 prepared will strengthen our animal disease
14 control and response capabilities. The
15 overall goal of the framework is to have an
16 adaptable approach that will help us find
17 disease, quickly address it, and minimize harm
18 to producers.

19 I look forward to our discussions
20 today, and thank you again in advance for
21 sharing your feedback. I realize that many of
22 you are familiar with the principle of animal

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1 disease traceability framework, but we do want
2 to review some of the information that's been
3 presented at prior public meetings.

4 So if we could go to the next
5 slide. These next couple of slides talk about
6 those principles of the new framework. The
7 approach outlined by the Secretary a few
8 months ago, back in February, responds to the
9 concerns USDA heard about its past efforts and
10 paves a way forward that supports and respects
11 the work of America's farmers and ranchers.

12 Through the new framework, APHIS
13 will implement a flexible yet coordinated
14 approach to animal disease traceability that
15 embraces the strengths and expertise of
16 states, tribes and producers, and empowers
17 them to find and use the traceability
18 approaches that work best for them.
19 Additionally, and key to the acceptance of
20 this approach, producer's traceability data
21 will be owned and maintained at the discretion
22 of the states and tribes, and that's a key

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1 point.

2 The framework applies only to
3 certain animals moving interstate, and in
4 general, we're looking at establishing
5 requirements for the interstate movement of
6 farm-raised livestock and poultry, with some
7 exceptions, and Dr. Brewer's going to cover
8 those exceptions a little bit later.

9 Our priority is cattle due to the
10 significant void in traceability in that
11 sector. We have had successful traceability
12 through the identification methods used in
13 disease eradication programs, and feedback
14 from the industry over the past year has
15 indicated greater preference and support for
16 using solutions from previous and current
17 disease control programs. We are re-
18 establishing the use of those basic methods
19 that have proven to be successful and are
20 widely accepted by producers.

21 Again, the cattle industry is our
22 primary priority at this point. To ensure we

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1 have the greatest producer acceptance, we are
2 building on basic animal identification
3 methods. The nine character alpha numerical
4 silver tag, commonly known as the break tag,
5 provides the solution. The bottom line is we
6 need to get more cattle efficiently identified
7 as timely and as time effectively as possible.
8 And we need to record tag distributions so
9 that they are traceable.

10 We recognize that this is a very
11 basic approach. Some have advocated
12 implementing a greater level of traceability,
13 or even full traceability, and we understand
14 that. The flexibility of the new approach
15 will allow for the use of advancing
16 technology. That is, producers wishing to use
17 radio frequency identification, or RFID, for
18 official identification may continue to have
19 that option. Likewise, states and tribes
20 using advanced technology may continue to do
21 so as well.

22 Our basic approach will enable us

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1 to achieve higher levels of official
2 identification. That is our immediate
3 objective. From here we'll make further
4 progress over time. The industry must support
5 whatever technology is used in the future.
6 The industry needs to be the driver so that
7 technological advancements work first and
8 foremost for producers.

9 There are a number of commitments
10 that USDA would like to share with you. We
11 recognize and acknowledge that states, tribes,
12 industry groups, and thousands of American
13 producers invested heavily in the National
14 Animal Identification System, or NAIS, and
15 worked hard to make it succeed. And as we
16 transition to the new framework, we'll seek
17 ways to capitalize on the progress of NAIS and
18 determine what pieces of that can be used to
19 be leverage our investment in the new
20 approach.

21 USDA will also maintain all current
22 information systems, and provide them to

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1 states and tribes that wish to use them as
2 they implement and administer their
3 traceability plans. Establishing, publishing,
4 and using standards are critical to the long
5 term success of our tracing capabilities. In
6 addition to setting standards for data
7 elements to ensure capability of information
8 systems, we are more clearly defining official
9 identification and the interstate certificate
10 of veterinary inspection, or ICVI.

11 USDA is committed to the
12 advancement of this framework through
13 collaboration with states, tribes, and the
14 entire production industry. In addition to
15 ongoing dialogue, USDA is establishing a
16 Secretary's Advisory Committee on animal
17 health with representatives from a broad range
18 of commodity organizations and under-served
19 communities to help USDA in evaluating and
20 offering input on the traceability effort.

21 Finally, possibly most importantly,
22 USDA is committed to help fund the

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1 implementation of this traceability framework.

2 I also want to briefly inform you
3 of the relationship of this traceability
4 framework with our Veterinary Services 2015
5 initiative, which represents our
6 organization's long term strategic vision.
7 Through the VS 2015 initiative we are adapting
8 the mission and role of Veterinary Services to
9 meet the animal health challenges of the 21st
10 Century, and we are also adapting our
11 programs, such animal disease traceability, in
12 line with that mission and role.

13 Several forces are driving this
14 need for change, such as changes in the
15 animal/agriculture industry, technology,
16 emerging diseases, as well as threats beyond
17 disease, food safety concerns, the expansion
18 of international trade, and tightening
19 budgets.

20 The expertise and core capabilities
21 of the Veterinary Services's position in our
22 organization is not only to meet the animal

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1 health challenges arising from these forces,
2 but also to be recognized as the national
3 veterinary authority in the US.

4 Strong partnerships are part of the
5 VS 2015 initiative, and the new approach for
6 animal disease traceability. For the 2015
7 initiative, Veterinary Services will continue
8 its partnership with states and tribal animal
9 health officials, agricultural producers, and
10 veterinary organizations, and will continue to
11 strengthen its relationships with the
12 emergency management community at state and
13 national levels.

14 So now turning to the rule making.
15 Many of the principles of the new disease
16 traceability framework will be codified
17 through rule making, with a new section of the
18 Code of Federal Regulations containing the
19 requirements for the interstate movement of
20 livestock.

21 The traceability regulation will be
22 outcome based. The outcomes are being

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1 developed and defined as traceability
2 performance standards. And we talked a fair
3 bit about those performance standards at our
4 last public meeting. The performance
5 standards will align well with and support the
6 outcome-based objective. Developing these
7 standards is one of the primary tasks and
8 objectives of the state, tribal and federal
9 traceability regulations working group.

10
11 Before we review and discuss the
12 traceability performance standards, I will
13 further clarify what requirements may be in
14 the regulation based on our current thinking.
15 The understanding should help everyone become
16 more comfortable with the concepts of the
17 traceability performance standards, as these
18 regulatory requirements will directly enhance
19 tracing capabilities. Granting, enforcing the
20 regulations will be critical, and I'll address
21 that topic a little bit later in my
22 presentation.

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1 The traceability regulation will
2 apply only to certain animals moving
3 interstate. We acknowledge that some animals'
4 interstate movements were exempted from the
5 official identification in ICVI requirements,
6 and Dr. Brewer will tell us when she is up
7 here a little bit later what the regulation
8 working group has considered regarding these
9 exemptions.

10 We will maintain our identification
11 regulations for disease control programs, and
12 as appropriate, consolidate them in the new
13 traceability regulation. Any identification
14 regulations for disease programs will
15 supercede the new regulations. So we're not
16 changing those.

17 Additionally, we will maintain
18 import regulations for livestock entering the
19 United States related to identification and
20 traceability. That is, all animals imported
21 will continue to be required to be officially
22 identified with the animals' identification

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1 properly documented on import certificates.

2 The Agency's taken, and continues
3 to take deliberate and transparent steps to
4 establish the framework for implementation.
5 We remain committed to public engagement to
6 obtain input on developing the animal disease
7 traceability regulations. And that's why
8 these public meetings are so important.

9 The Traceability Regulation Working
10 Group has been working collectively on the
11 content of the proposed rule since March. To
12 keep the industry and producers advised of the
13 working group's efforts and to obtain feedback
14 during deliberations we conducted public
15 meetings to review the concepts of the
16 framework and to share the current thinking on
17 the proposed rule, including the traceability
18 performance standards.

19 We have also held conference calls
20 with industry sectors, such as cattle, swine,
21 poultry, and sheep and goats to update them on
22 the progress of the traceability framework,

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1 including the development of the proposed
2 rule, and to hear their concerns to ensure we
3 collectively move the traceability plan
4 forward.

5 The working group reviewed and
6 considered this feedback as it developed their
7 recommendations to the content of the proposed
8 rule. Likewise, members of the working group
9 have attended each public meeting.

10 On June 17, APHIS published a
11 notice in the *Federal Register* announcing the
12 Secretary's intent to establish the
13 Secretary's Advisory Committee on Animal
14 Health. This committee will review multiple
15 animal health issues, including animal disease
16 traceability. Nominations for the Secretary's
17 Advisory Committee on Animal Health were due
18 on August 2, and APHIS has received more than
19 100 nominations, as well as numerous inquiries
20 from interested parties regarding this
21 committee.

22 The Advisory Committee, once it's

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1 formed, will appoint a subcommittee on
2 traceability to review the traceability
3 activities and details of the framework more
4 fully. Industry, along with state animal
5 health officials and tribal representatives
6 will be members for the subcommittee, and they
7 will give their feedback to the Advisory
8 Committee.

9 Regarding future activities and
10 time lines, the working will conclude its
11 report on the content of their proposed rule
12 soon, after we complete this final round of
13 public meetings. These meetings include one
14 that was held Wednesday this week in Madison,
15 Wisconsin, our meeting here today in Atlanta,
16 and then next week, August 24, in Pasco,
17 Washington.

18 Additionally, the joint strategy
19 forum on animal disease traceability that's
20 being hosted by the National Institutes for
21 Animal Agriculture, and then the US Animal
22 Health Association, which is being held August

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1 30 and 31, is another excellent venue to share
2 and discuss the intended content of the
3 traceability regulation, and we look forward
4 to participating in that meeting as well. We
5 will also hold tribal consultations over the
6 next few months to ensure tribes have a clear
7 understanding of the regulation being
8 consider, and that we have their feedback.

9 After these meetings, we will
10 finalize recommendations on the content of the
11 proposed rule. Then our regulatory staff will
12 formally prepared the regulation. We will do
13 our best to publish this proposed rule in
14 early 2011, hopefully by April. Following
15 that publication there will be a 60- to 90-day
16 comment period, and that will offer another
17 opportunity to obtain input on the
18 traceability regulation.

19 So before I turn the presentation
20 over to Dr. Brewer, I want to reiterate that
21 developing the regulation has evolved through
22 public dialogue, and that remains our

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1 objective for the public meetings this month.
2 This report today offers an update on the
3 efforts of the working group. It's a summary
4 of our current thinking on the content of the
5 regulation, and we need your input today as
6 the working group and USDA conclude their
7 preliminary efforts on developing the proposed
8 rule on animal disease traceability.

9 The list of working group members
10 was distributed in your packet, and I want to
11 take a moment to applaud the working group's
12 accomplishments. The group has devoted a
13 significant amount of time to developing the
14 preliminary content of the proposed rule and
15 addressing many, many challenges. Their
16 efforts, I believe, have been well received,
17 and we thank the entire working group for its
18 commitment to this effort.

19 Following Dr. Brewer's report from
20 the working group, I'll come back up here and
21 offer some additional comments that address
22 some other key factors that will ensure the

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1 new framework is indeed one that has tangible
2 outcomes for ensuring animal disease
3 traceability.

4 So with that, I'll ask Dr. Brewer
5 to come up and report on the work that the
6 working group has done.

7 DR. BREWER-WALKER: Good morning.
8 It is kind of a small group. Some of our
9 groups have been quite large, quite rowdy.
10 You guys aren't awake yet. Wake up.

11 How many -- I'd kind of like to
12 know -- is this the cattle table here, and
13 that's a cattle table, cattle table, we've got
14 some -- a poultry table. What all have we
15 got? How many livestock market owners are
16 here? Move to the back to the room.

17 (General laughter.)

18 DR. BREWER-WALKER: Cattle
19 producers? Poultry producers, poultry
20 industry? Industry? Well, we're very glad
21 that you're here.

22 Thank you, Dr. Myers, very much for

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1 kind of giving us a little bit of an
2 introduction.

3 This presentation has changed. The
4 first meeting that was held similar to this
5 was held in Kansas City, and the working group
6 has had a very, very intense work-rich program
7 to come up with what we have come up with this
8 far. And the reason that the program changes
9 from time to time is, as the working group
10 continues to work through problems, then we
11 continue to change the document.

12 This is ground-breaking work that's
13 been done by USDA, and as a state
14 veterinarian, I would really like to applaud
15 them, because what they've done is created
16 this group, which is rich in state
17 veterinarians. I think we have seven state
18 veterinarians represented. We have Colorado,
19 Wyoming, Oklahoma, Mississippi, Pennsylvania,
20 New Hampshire, Indiana. That makes the group.
21 So each of us on that working group have kind
22 of divided up these visits and talks and gone

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1 out and done our presentations.

2 The behind-the-scenes part of it
3 are two and a half hour conferences calls
4 every week, two face-to-face meetings, and
5 then also the kind of interaction we have at
6 meetings like this.

7 How many of you can even stay awake
8 during a one-hour conference call? It's kind
9 of bad when you're on it and you're getting
10 down to that two-hour piece, and you're sort
11 of drifting, and you hear somebody say your
12 name, and you don't remember quite what they
13 said, and he's done that to me, and you go,
14 Oh, excuse me, somebody stepping my office.
15 What did you say again? So I just want you to
16 know how dedicated state veterinarians have
17 been.

18 Tribal representatives. The first
19 time I've ever had the opportunity to sit down
20 with folks from tribes. Tribes are very
21 different, and some tribes -- we think of the
22 Navajo nation and we think of some of those

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1 that have very distinct, large, bordered
2 reservations.

3 Oklahoma we have 41 tribes, and
4 three different ways to hold tribal lands.
5 There are trust lands, there are tribal lands,
6 and then if you happen to be a member of a
7 tribe and you buy a house in Chickasha,
8 Oklahoma, that becomes tribal land, so it's
9 very challenging in dealing with the problems
10 related to animal disease and tribal
11 properties.

12 And I also applaud USDA greatly for
13 bringing them to the table. I think it has
14 been good for the, and I certainly know it's
15 been good for us. I'm just very thankful that
16 in Oklahoma our guys say, Just whatever you do
17 is what we're going to do. So we don't have
18 to deal with those specific entities. But if
19 you look a Navajo Nation, Navajo Nation
20 actually has two equivalents of a state
21 veterinarian, who work in a formal animal
22 health program.

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1 So some folks look and say, Well,
2 why are tribes involved? And they're involved
3 because they have those -- some of them have
4 those very distinct entities very similar to
5 state animal health officials kind of around.

6 We're going -- because I can't
7 click, and John's going to click, and because
8 I'm old enough to need to have different, you
9 know, sort of places where I can focus -- I
10 wished I'd have brought -- you know, how many
11 of you are old enough to remember Buster Brown
12 and Froggie? Oh, thank goodness. They had
13 this little clicker that sounded like a frog,
14 and they'd click it when they wanted a page to
15 turn. But I didn't bring any little froggie
16 clicker, so I'll just have to nod or
17 something.

18 This working group, I think, has
19 forged a pattern, a template so to speak, that
20 will open the door for further rule making.
21 And I think it'll be rule making that'll much
22 more keep you, as producers and individuals,

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1 in the loop for federal law making. Because
2 we represent you. If it weren't for you,
3 livestock market owners, I wouldn't need to
4 have a job, because our job is not only to
5 protect animal health, but to try to do it in
6 such a way as you can continue to do business,
7 because if you can't do business, the product
8 isn't on the table.

9 We all go to work every day for the
10 consumer. Every one of us, because we
11 wouldn't have a job without the consumer. If
12 they're not going to buy that beef steak, if
13 they're not going to buy those split chicken
14 breasts, if they're not going to buy that pork
15 loin, and if we don't produce a product that
16 is safe, that they feel confident in, and it
17 is the product they want to buy, then none of
18 will have a job. So we have to look at that
19 whole picture. And that's kind of what this
20 exercise has been.

21 So basically what this particular
22 group has done is come up with a way that we

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1 can make sure that animals moving interstate
2 are properly identified, properly documented
3 so that we can trace where they have been in
4 the case of a disease outbreak.

5 Now, one of the questions that
6 comes to me a lot is, especially in a little
7 bit when we start looking at those
8 standards -- and I think Dr. Myers said you've
9 got a couple of things that you can look at,
10 and if you want to refer to them, and when I
11 get to a specific place that might help for
12 you to refer to them, I'll mention it, but
13 when I teach a class, I tell the students to
14 close their computers and turn everything
15 upside down and pay attention. They can read
16 that stuff when they get home. But we'll
17 point out a few of those.

18 But a way to evaluate our ability
19 to trace animals, think in terms of tracing
20 animals, let's kind of take disease out of the
21 picture, let's take even foreign animal
22 disease outbreak out of the picture, because

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1 we focus so much on that locate in 48, and
2 that's very important, if we can't market our
3 product overseas, if we have a foot and mouth
4 disease outbreak, shoot, if we have ILT and we
5 can't send poultry products to Russia, those
6 things make a difference.

7 But right now let's just think in
8 terms of basic work we do every day, scrapie
9 traces, TB traces, brucella traces. Right
10 now -- and we don't have anybody on a horse
11 table -- so I mean right now we're kind of
12 embroiled in this equine paraplasmosis
13 outbreak -- but let's focus on just every day
14 work.

15 So we need some type of performance
16 standards, some way we can measure ourselves.
17 Everyone hears what Congress has to say, Oh,
18 we're not going to give you money for an idea.
19 If you don't come up with a standard, tell us
20 what is the standard, what is plan. We're not
21 talking benchmarks here, and we'll get to that
22 in just a minute. So we've got performance

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1 standards. A way to evaluate our ability is
2 kind of what a performance standard is going
3 to be. And then that kind of bitter pill to
4 take, which what will be the penalty, so to
5 speak, for non-compliance, or an inability to
6 be able to do that.

7 So which animals need to be
8 identified, which animals need to be on a
9 health certificate, and I'm probably going to
10 end saying health certificate instead of ICVI
11 because that's what our clients and our
12 stakeholders know.

13 So basically -- how many of you
14 think right now all animals moving interstate
15 need a health certificate? Nobody? That's --
16 well, you know, sometimes we move cattle on
17 shipper statement, sometimes they come into a
18 market and they come in as a group and they
19 come in on an owner's shipper statement. If
20 you go through 9 CFR right now, you're not
21 going to find anything consistent from section
22 to section to section on what's required for

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1 interstate movement.

2 And that's one of the primary goals
3 of this program, let's get it all in one
4 place, let's get it very clear, very outlined,
5 and very consistent. Let's move away from
6 focusing on TB, bangs, scrapie, to where you
7 have to go through 9 CFR, state regulations
8 for each one of those diseases and figure out
9 what it is you need to do.

10 2015 is an initiative that's not
11 really mine to talk about, it is the
12 Veterinary Services initiative of where does
13 veterinary -- it's long range strategic
14 planning. It's actually -- '15 is sort of
15 mid-range strategic planning, where do we want
16 to be? And one of the things we want to do is
17 step back from where we've been and let's have
18 an umbrella look at animal health.

19 None of us knows from whence will
20 come the next disease. As our agrarian lands
21 continue to be eaten up and chewed up by
22 suburbia and by urban development, as we

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1 continue to have less and less in the way of
2 wildlife refuges and ways where those are
3 separate from us doing business, we come into
4 contact with possible wildlife reservoirs. We
5 may have diseases we don't know anything
6 about.

7 As travel is so intense and quick
8 and easy, you may go on a Christian mission to
9 a foot and mouth disease country, and not have
10 any earthly idea what you're doing and what
11 you might be bringing in. In Oklahoma we had
12 a real interesting incident. We had a -- it
13 happened to be a veterinarian who went on a
14 Christian mission to a South American country
15 where they have foot and mouth disease. And
16 they went out and did a tour of farms. And,
17 you know, they look at slobbering goats. Oh,
18 cool. Come look at our slobbering goats.
19 What do you think these might be? Then he
20 comes back, and he's got a large animal
21 practice.

22 So, you know, we can bring --

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1 that's how we're going to possibly bring it
2 in. And we need to all be aware of that, and
3 we need to plan, and we need to be prepared.
4 So excuse me for getting on my soap box.

5 With some exceptions, all livestock
6 moving interstate must be officially
7 identified and on an ISVI. What are some -- a
8 health certificate -- what are some exceptions
9 we have right now? We don't identify feeder
10 cattle. I'll have one man have 30,000 feeders
11 on grass and wheat in Oklahoma at any given
12 time, and a lot of times they'll just come in
13 by pots. And so I get a call from Texas and,
14 I'm sending 20 pot loads in, what do I need?

15 Well, we require an ICVI written
16 for all 20 pots. So there's lots of little
17 exceptions that we're going to kind of talk
18 about and I want to tell what the working
19 group's come up with as ways that we can be
20 responsible in how we do our work, and we can
21 still do business.

22 Official ear tags and group lot

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1 numbers. Those of you in the swine industry
2 and in the poultry industry, group lot numbers
3 kind of makes sense. Sometimes in the cattle
4 industry we don't see exactly how group lot
5 numbers make sense. I will give you an
6 example, and it worked very well for us.

7 When New Mexico lost its TB status
8 and moved down to a lower status -- we have an
9 awful lot of cattle that come in to Oklahoma
10 for grass and wheat from New Mexico. They go
11 directly from there to a feed lot and directly
12 to there from slaughter. So the way we
13 facilitated their ability to move into
14 Oklahoma -- at that time we were still working
15 under the status system -- was we allowed them
16 to come in as group lot numbers.

17 They got a permit, we knew who was
18 there, was cattle were there, and we did not
19 allow them to commingle with any cattle that
20 wouldn't be going directly to a feed lot or to
21 slaughter. And it was very, very, very
22 helpful for industry.

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1 And since all that kind of
2 happened, right at the time when we needed to
3 be putting those cattle on grass and wheat, we
4 had to do something very quickly. We were
5 able to fall back on the old National Animal
6 Identification System group lot ID concept,
7 and make that work very well for industry. So
8 there might be at some time a place for that
9 in the cattle industry.

10 An official ear tag. You've got a
11 wonderful, wonderful handout which is Official
12 Ear Tag Criteria and Options Draft. Neil and
13 John and -- John Wiemers, Neil Hammerschmidt,
14 and David Morris's group put this together,
15 drew it all up. I would say take this home,
16 remember it's a draft, but it truly makes
17 official ID very simple, so you kind of have
18 an idea of what out there right now is
19 considered by 9 CFR as official ID.

20 National Uniform Tagging System.
21 You're all familiar with that. It's a bright
22 tag. It's an official calfhood vaccination

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1 tag, and up to now those have been in the
2 hands of veterinarians only. But as we get on
3 in this presentation, you'll see we come to a
4 place where we've kind of, with this working
5 group and with the USDA, have come up with a
6 way that this is -- we're going to be able to
7 get this out to producers as well.

8 The animal identification number,
9 that's your 84 tag, the 15-digit 840 tag, that
10 we have a lot of folks using, if you're
11 involved in a QSA or a PVP or any of those
12 source and age verification programs. And you
13 market owners, you may have some folks who are
14 doing that right now.

15 Missouri's been very forethinking.
16 Quite a few Missouri markets are set up to
17 handle electronic ID. Quite a few Missouri
18 markets have actual sales, which are just for
19 source and age verification enrolled cattle,
20 and they've been successful with it.

21 And I think all of us hate to get
22 out of the rut that we're comfortable in,

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1 whether you're USDA, APHIS Veterinary
2 Services, a state animal health official, a
3 livestock market owner, a cattle producer. In
4 Oklahoma, the majority of our cattle producers
5 raise 20 head or less. Now, granted, we've
6 got a pot load of folks with a bunch more.

7 But if you look at raw numbers of
8 premises that have cattle, and they going to
9 come to your markets, and some of them, if
10 they have cattle working facilities, they're
11 made from bed springs and pallets, and they
12 don't have a head gate, and if they do, it
13 ain't going to hold anything. So we have to
14 keep those folks in mind. And that's why the
15 flexibility that we have been tasked to
16 include in this program is, I think, the best
17 thing we've ever done. And I think this is
18 the way that the train can get down the track,
19 and we'll kind of get into that.

20 Premises or flock-based numbering
21 system, the scrapie system. Perfect examples.
22 Swine industry with premise-based movements

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1 for swine. I think Dr. Myers talked to you a
2 little bit about this. This may seem like a
3 very aggressive schedule for you, but as I
4 said, again, you've heard from Congress and
5 you've heard Congress say, Give us a plan, we
6 want a plan. So we have to go, and we're
7 pushing, and that's why we've had these
8 ridiculous two and a half hour conference
9 calls.

10 Cattle, I think that Step 1, delay
11 inclusion of feeder cattle is very misleading
12 on this slide. What we're doing is we're
13 going to step-wise feeder cattle in. That's a
14 huge issue and it's going to take time for
15 that industry to come around, and we're going
16 to discuss a little bit more kind of specifics
17 about that in a minute, but ultimately they
18 will sunset in to having to be identified at
19 some point down the road.

20 However, our plan is that if they
21 are officially identified, the veterinarian
22 writing, the health certificate, just states,

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1 This group of cattle are officially
2 identified. It's awful hard to -- and it's a
3 huge cost to the producer. You bring in 20
4 pots of these cattle into Oklahoma to pay a
5 veterinarian to run every run of those through
6 the chute. Every time you run something
7 through the chute, you have shrink, you
8 have -- you already have stressed animals. So
9 we'll kind of get to that as we go.

10 So there's always an educational
11 period, and that's a key, getting out to the
12 markets and talking to your folks, getting out
13 and talking to producer groups. If we don't
14 do education, that's how we failed the last
15 time, and we don't want to fail this time. We
16 really can't fail this time. Back tags. Back
17 tags are a problem. How many of you have
18 pigs, you know, and swine in your state, and
19 they get to one place and one sows got 10 tags
20 and nine sows don't have any tags, and then
21 some tags are gone because they ate them and
22 digested them on the way.

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1 They're very helpful right not
2 going direct to slaughter. In Oklahoma, we
3 passed some legislation about two years ago,
4 and back tags are only considered appropriate
5 in Oklahoma if animals are going to slaughter.
6 Any other time they have to have an official
7 ID.

8 Basically we're going to talk about
9 some exemptions. Step 2 talks about all
10 classes with exemptions focused on interstate
11 movement and official ID. Official ID is what
12 we'll talk about first. There's kind of three
13 areas of this discussion. One of them is
14 what's going to be official ID, what's going
15 to be required on health certificates, and
16 then these performance standards, which
17 actually don't apply to you, the producer.
18 Performance standards only apply to state
19 animal officials and tribal health officials
20 and how we can do certain tasks.

21 So sexually intact cattle greater
22 than 18 months of age, and all dairy cattle.

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1 Talk a little bit about that. In Oklahoma two
2 years ago when our federal funds were removed
3 for first-point testing in brucellosis, in our
4 markets, our market owners were charging three
5 dollars a head to producers for brucellosis
6 vaccination. The federal dollars that came in
7 supported the animal health -- the state
8 animal health offices and the testing done,
9 and our individuals who worked in the markets
10 and who made sure things were done as they
11 were supposed to be done.

12 So we said, Look, as soon as Texas
13 is free, one year after Texas is brucella
14 free, we're going to stop doing first-point
15 testing. And our market owners said, Yoo hoo,
16 can we come talk to you about that? And we
17 had some meetings, and they used that three
18 dollars a head to support their accredited
19 veterinarian in their market, and they wanted
20 to come up with some way that they could
21 continue to financially support those
22 veterinarians in their markets.

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1 So we said, What about charging a
2 three-dollar chute fee and recording official
3 ID. And ultimately we can up with a rule that
4 was supported by livestock market by Oklahoma
5 Cattlemen Association, by producers, and in
6 the markets, the veterinarian, when those
7 cattle are running through a chute, to be preg
8 checked, to be aged, they are identified and
9 those identification numbers are written down
10 on the old 454s and sent in to our office.

11 So at the close of a market
12 session, any and all markets, we receive ID
13 and we've been getting those now for a little
14 over a year. They are a paper-based format.
15 We have a few markets who go ahead and put
16 them into their electronic data keeping
17 systems, and consequently we get those and
18 they're so much easier to use. So official ID
19 and sexually intact cattle 18 months of age or
20 older, and all dairy cattle.

21 I told a little story at my table.
22 Dr. Burke Healy, who's now with USDA

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1 Veterinary Services, was our state
2 veterinarian when I was hired, and he's a
3 classmate of mine. And he gave me a task. He
4 didn't give me any directions on that task.
5 He didn't tell me about livestock market
6 owners, he didn't tell me about producers.

7 My relationship with producers in a
8 25-year mixed-animal practice in rural Grady
9 County was wonderful. If they called me, they
10 weren't having a great day. And at the end of
11 the day, we worked that out, so you have real
12 good relationships with your producers.

13 So Burke says, I want you to write
14 a rule that requires all dairy cattle,
15 sexually intact, and 450 weight or greater,
16 six months of age and older to be officially
17 ID'd.

18 Well, this was before Texas had
19 their dairy ID requirements, or any states
20 around us. So I just happily tripped off and
21 wrote the rule. He went over it and made some
22 changes in it, and he says, Okay, here's the

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1 rule. Now, there's a rules hearing, and you
2 need the experience of a rules hearing, and so
3 you will be the representative from animal
4 industry with this new rule at the rules
5 hearing.

6 And so I said, Okay. And I go in
7 there and there's 25 PO'd market owners in
8 there who had not had any part in writing this
9 rule. About 20 dairy producers in there, of
10 which several were Mennonite, and so they were
11 quite vocal on what they wanted and didn't
12 want, and it was such a change for me because
13 my Mennonite clients in Grady County were
14 wonderful.

15 So that's the wrong way to do
16 rules, ladies and gentlemen. And we need to
17 move forward and keep up this process of being
18 interactive with folks like yourselves. But
19 ultimately, in Oklahoma we've been doing that
20 for quite a while and it works very well.

21 We all know the bio-security
22 hazards with rodeo cattle. I think, in

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1 talking to folks -- and we bring in a lot of
2 Mexican cattle into Oklahoma for grazing, and
3 if you say to your client, This is a high-risk
4 group of cattle, some of them change their
5 business plan and accept I need to figure how
6 am I going to still make money trading in this
7 type of cattle, and plan for having two or
8 three at some time pulled out as slaughter
9 traces, and how am I going to manage that.

10 It happens in Oklahoma with
11 railers. So they'll have some ain't doing
12 right, good ones, they put them in the sick
13 pen for a while, and then they just rail them
14 out to booker. And then they have TB, and so
15 you have to come back and you have to identify
16 those pens. You either have to say, Look,
17 they're going to be quarantined until they go
18 to slaughter, or we've got to test those pens,
19 well, that causes shrink in handling those
20 animals.

21 But when they go to slaughter, the
22 individual slaughter plants, they can charge

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1 you extra because they go on a 127. You pull
2 into the back, they have an expanded post by
3 FSIS, which is only three more lymph nodes.
4 It doesn't take FSIS that long to look at
5 three more lymph nodes, but it's a way that
6 packers then charge 50 to \$100. So you have
7 to look at your business plan.

8 So we've got these cattle coming
9 in. They pull off cattle with horns, they
10 pull them off, they leave the port in Texas,
11 and these cattle buyers that have them, they
12 go someplace and they pull them out and create
13 them -- and then call them Texas cattle, pull
14 the good horns off for their rodeo buddies,
15 and the rest come to slaughter, so -- I mean
16 to go to the feeding slaughter channel.

17 They are a high risk group of
18 cattle, and they need to be identified and
19 they really need to be commingled with any of
20 our -- another soap box, and I apologize.

21 Cattle moving to shows or
22 exhibitions, livestock shows, that type of

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1 thing. Any time you commingle cattle and then
2 you take them home, any time you commingle
3 pigs and you take them home, you're at greater
4 risk.

5 Exemptions for IDs. Steers or
6 spayed heifers, except for the rodeo and
7 exhibition. This is an exemption for
8 identification right now. We are not
9 identifying stockers and feeders. And at this
10 time, early on in this process, that's going
11 to be a hardship on industry. If you're
12 moving directly to slaughter, you can go
13 through an approved market, USDA back tag,
14 exempt from individual ID.

15 Cattle moving to custom slaughter.
16 Let's just say you live on the
17 Oklahoma/Arkansas line, or you go to custom
18 slaughter within the state, but you haul your
19 personal cattle you've raised for personal use
20 across to Arkansas to a custom slaughter
21 plant. That will not require an ID or ICVI.

22 Commuter herds. Many of us have

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1 commuter herd agreements, especially in states
2 where there's community grazing. For us I
3 have XL ranches. They have property in New
4 Mexico, they have property in Oklahoma. The
5 cattle stay under ownership, do not commingle
6 with non-owned cattle, they move back and
7 forth without a health certificate or
8 individual ID. So commuter herds is one of
9 them.

10 The listening sessions -- I went to
11 the listening session in Texas. It was the
12 most hideous experience I've ever had in my
13 entire life.

14 The people who were there were not
15 mainline agriculture; they were fringe
16 agriculture. They were folks who called
17 themselves "a concerned citizen." They were
18 people who called themselves, "I am a
19 consumer."

20 They were people who stood up in
21 front of the group and identified themselves,
22 like I would stand up and say, I'm Becky

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1 Brewer, I'm the Oklahoma state veterinarian.
2 They stood up and said, My name is Melinda
3 Smith -- that's made up -- and I guess if I
4 were to describe myself, I would tell you that
5 I raise chickens. My chickens are free-range
6 chickens, and I make pie. And my meringues
7 are this tall. And if you make me microchip
8 my chickens, pie meringue as we know it today
9 will be a thing of the past. Now, if I'm
10 lying, I'm dying.

11 They don't represent you. But one
12 of the things that did come up that was saying
13 in these meetings, especially in states that
14 are brand states, is that we need to continue
15 to be able to move cattle from one brand state
16 to another brand state. We've got 40, we've
17 got 60 -- how many ever your state has --
18 brand inspectors.

19 They're on the ground at the farm
20 inspecting those cattle, approving the
21 movement. They know more about how cattle
22 move in Montana and Wyoming than I do in

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1 Oklahoma. We're not a brand state, and in our
2 last program we didn't make allowances for
3 brand states.

4 Basically that's what this bullet
5 is. If Montana and North Dakota wish to have
6 an agreement on how they're going to move
7 cattle with an alternative ID, in this case a
8 brand, then that's going to work. And it's
9 what those people asked for, the same ones
10 that those people asked for, and I apologize
11 if any of you here were the insane ones.
12 We'll just move on.

13 So let's go to the next one.
14 Cattle moved interstate with official ID, if
15 they're going to a tagging site. That's been
16 a question that's come up at several -- what
17 do you mean by tagging site. I think the idea
18 is, if a market wishes to create an official
19 tagging site and charge for cattle to be
20 tagged, if an entrepreneur, a veterinarian,
21 wishes to have an official tagging site where
22 those animals would come from the farm to the

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1 tagging site, be tagged before they commingled
2 with other animals, that's the concept of a
3 tagging site.

4 In Oklahoma, you know, we have this
5 Panhandle, and the Texas Panhandle. Now I've
6 been trying to give the Oklahoma Panhandle to
7 Texas for the whole seven years I've been
8 there, but they just won't take it. So if
9 you're in Sayer, it's going to be faster for
10 you to go from Sayre to Guymon, Oklahoma
11 through Texas, and not have to take our little
12 roads and our way back woods where there are
13 no people around. So that's that bullet. If
14 you have to move across another state to get
15 where you're going, and you're still going to
16 load in Oklahoma and unload in Oklahoma,
17 that's that bullet.

18 I think these are the ones that are
19 going to sunset out ultimately, and we'll talk
20 about that in -- well, I guess we can talk
21 about them right now. For ID, eventually
22 sunset out the lack of official ID in that

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1 class of cattle in number one, but don't
2 forget, you'll see a little bit later, as long
3 as states can perform their performance
4 measures, they will not have to be
5 individually listed on an ID, not rodeo cattle
6 or recreation, but as far as feeders go.

7 The back tags. I know we're all
8 used to back tags, and we like them, but they
9 are not good ID. And they frequently are the
10 bane of our existence when we're trying to
11 trace disease out of a slaughter plant. Part
12 of that's with the slaughter plants not
13 collecting ID, but that's whole other issue
14 that T.J. and his group are going to address
15 with FSIS.

16 Custom slaughter we talked about,
17 commuter herd we talked about. And, again,
18 we're talking ear ID. But basically we're
19 good with all that. Kind of got that? All
20 right.

21 It was an eye opener to me on this
22 committee to realize how many states were

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1 using funny, weird ID I never heard of before.
2 I found some states on some of our conference
3 calls in the northeast make up their own.
4 They have them produced, and make up their own
5 official ID, and they ship to other states
6 with that ID. Fortunately those folks don't
7 ship much to Oklahoma. We require official
8 IDs listed in 9 CFR.

9 So I think one of the most
10 important things that were doing here is to
11 have standardized official ID. Again, when
12 you have time, look this over, it's great, but
13 it doesn't mean we're not going to be
14 flexible. I mean John Clifford has said,
15 Flexibility is what you asked for in the
16 listening session, low cost, state-owned,
17 flexible, availability.

18 It doesn't mean we're going to
19 leave out what we've worked so hard to build
20 now as far as our premise ID system that's
21 federal, our AIN numbering system for folks
22 who want to do that, they have -- USDA APHIS

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1 Veterinary Services is very firm that that's
2 going to be maintained, it's going to be
3 available.

4 Twenty percent of Oklahoma premises
5 are registered in the federal system. I have
6 two veterinarians in the state who make their
7 entire living working with their clients just
8 working on age and source verification and
9 pre-condition type cattle.

10 But we have got to have some good
11 standardized uniformity, have it all down in
12 black and white to where everybody can be on
13 the same page, and when an animal comes into
14 Oklahoma, I can look at that tag and know
15 that's an official tag and not a made up tag
16 some state just decided one day they were
17 going to make up.

18 The option for producers to obtain
19 bright tags and apply them, that's met with
20 some controversy. I personally think it's
21 great. I don't see any reason why producers
22 shouldn't be able to have a very low cost tag

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1 if they want to. It's going to help us in the
2 long run if we get them tagged on the farm of
3 origin and we can ultimately read a tag and
4 have it collected at slaughter, to at least
5 have the bookends.

6 One of the things I hear now and
7 then is this issue of liability. If I, John
8 Smith, in Poteau, Oklahoma -- and that's
9 really a town -- in Poteau, Oklahoma called
10 you -- your office at the state veterinarian,
11 and I say, I need 200 tags, I'm going to wear
12 some calves, and when I work my calves I'm
13 going to tag them.

14 Eventually, if there's E. coli
15 associated with the meat for that run of cows,
16 am I liable? And that's a hard question to
17 answer because you've got some other agencies
18 involved. Disease is not a liability issue.
19 The issue of knowing where that animal's been
20 is to help us find where was it exposed to TB,
21 to brucella, to foot and mouth disease, to
22 find the nidus of infection and to remove it,

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1 so liability is not the issue here.

2 Multiple tags. How many of you've
3 seen a cow come through your market with three
4 bright tags, or an OSV, you know, an official
5 calfhood vaccinate tag and two bright tags.
6 People might not be aware right now, but in 9
7 CFR -- if you hand me a 9 CFR, I can show you
8 where you can't put more than one official tag
9 in a cow's ear.

10 Dr. Hall must have had -- at my
11 offices, our cattle programs manager -- and he
12 must have had a really bad day yesterday
13 because he called me on the phone and he was
14 very agitated. I will not tell you one of the
15 conversations, it was what he wanted to do
16 with our scanner and one of our administrative
17 assistants, and they involved merging the two
18 and kicking them both out the door.

19 But he had also had a call from a
20 Colorado market, from the market veterinarian,
21 and the market veterinarian wanted to know
22 what was required to move cattle to Oklahoma.

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1 And he said, You have to have a health
2 certificate, you have to have -- these are
3 over 18 months of age -- official ID, and this
4 market veterinarian went off on him and said,
5 Well, that's not what we require in Colorado.

6 Well, that's not true, but we have
7 got to come up with some consistency, we've
8 got to come up -- oh, I know what he said,
9 I'll get back to my point -- if I get to
10 rambling and if you click the froggie thing,
11 I'll get off that. That's a bad habit. He
12 said -- Dr. Hall said to the market
13 veterinarian, Just write down the ID that's on
14 the cow. If there's not one there, put it in.
15 If there are some there, then don't put
16 another one in. Read it. And he goes, Well,
17 that's not what we do in Colorado.
18 Nonetheless, I think it was a very small
19 market, kind of a junk market, and I think he
20 was just trying to get his bluff on Dr. Hall.

21 But we don't want three tags in a
22 cow's ear. It's too -- what veterinarian's

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1 going to write down three tag numbers? So
2 what good is that going to do you as an animal
3 health official going back and trying to trace
4 an animal. Now if they wrote them all down,
5 then, yes, it's going to give you maybe three
6 incidences where the tags were applied, but
7 can your market veterinarians take the time to
8 do that in the chute? Now, they can't.
9 That's ridiculous.

10 Okay. Now we're at ICVI
11 requirements, health certificate requirements,
12 and, again, this is kind of repetitive because
13 there's three different areas but we'll go
14 through this very quickly. If they're moving
15 interstate, unless they're exempt, no phase in
16 for health certificates, exemptions we're
17 going to talk about here in a minute, dah dah
18 dah dah dah dah dah.

19 Down at the bottom, that last one,
20 the recording of official identification
21 numbers for feeder cattle on the ICVI will not
22 be required at any time. And as I mentioned

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1 before, after the first year, once it's
2 implemented, all that the veterinarian will
3 have to do is say, I have looked at these
4 cattle, they all have official ID, and move
5 down the road.

6 Cattle moved directly to the
7 slaughter -- this is exemptions for ICVI --
8 and we all know about owner shipper
9 statements. Cattle coming to our state from
10 Texas directly to a market don't have to come
11 in on a ICVI at this time. They can come in
12 on a bill of lading or an owner shipper
13 statement.

14 And then cattle going directly from
15 an approved livestock market directly to
16 slaughter do not need a ICVI now. Once those
17 cattle come into to Oklahoma and they are at
18 that market, if they move to another state and
19 not to a slaughter facility, they will have to
20 be identified and they will have to have a
21 certificate of veterinary inspection. If
22 they're going directly to a slaughter

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1 facility, those are waived.

2 Okay. We've kind of talked about
3 that. Oh, the last one. We've got lots of
4 folks right on the state line who come into
5 Oklahoma to go to a veterinarian. I don't
6 know what it is about Texas that they don't
7 have good cattle veterinarians on the north
8 side up by the Red River. But that's an
9 exemption. If you take your cattle, your
10 horses, your sheep, your pigs, your whatever
11 from your home in one state directly to a
12 veterinarian for treatment, surgery,
13 veterinary procedures and back, you are
14 exempt.

15 Commuter herds we talked a little
16 bit about, exempt not only from ID but also
17 from health certificates and between two state
18 and tribes who have agreed upon ID and
19 documents for movement. And those documents
20 would be the commuter herd agreement.

21 And we are working on trying to
22 have a uniform commuter herd agreement so

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1 that -- right now they're very different.
2 What Iowa and I enter into in the way of an
3 agreement may be very different than what Dave
4 Fly in New Mexico and I enter into. So we're
5 working a little bit on coming up with
6 something that is consistent there.

7 Performance measures. All of you
8 remember the benchmarks for National Animal
9 Identification. And those benchmarks really
10 were things like how many premises do you have
11 registered in your state, how many cattle do
12 you have identified in your state. Early on,
13 before the mandatory part was derailed, it was
14 the benchmark said when this part was going to
15 be voluntary, when this part was going to
16 become mandatory.

17 These are not benchmarks. These
18 are performance standards that the office,
19 whomever the office is that handles your state
20 animal health regulation, whether it's a Board
21 of Animal Health, like New Mexico, Texas,
22 Kansas; Department of Agriculture like

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1 Oklahoma, Mississippi, et cetera; or a tribal
2 authority, they are the standards we must be
3 able to meet to be able to say we have a
4 certain status in relationship to our ability
5 to trace animals as they move interstate.

6 Again, remember, we're not thinking
7 in terms of trace TB, trace brucellosis. With
8 this rule, it's trace animals as they move
9 interstate. So we have our first meeting, and
10 John's on, and Neil, and Dave, and we came up
11 with, I'm thinking about 16 performance
12 measures. And we all were very proud, we
13 thought these were really kind of good, and
14 they're things we all do every day as animal
15 health officials.

16 And Steven Crawford in New
17 Hampshire goes, No, wait a minute, you're
18 writing a federal regulation. The majority of
19 these performance measures have to do with
20 what happens within a state, intrastate
21 activity. How can you write a federal rule
22 that governs what I do within my state, or

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1 Becky does within her state, or Dave Fly does
2 within his state. And we went, Hmm.

3 Then we sorted and sifted them, and
4 if they were intrastate, we put them over
5 here, and if they were interstate, we put them
6 over here. And ultimately we came up with the
7 four that you're going to see today in your
8 handy dandy handout that says, Animal Disease
9 Traceability Framework, on page 2.

10 The four that we're going to talk
11 about today -- and then we came up with six,
12 which were truly intrastate, that I'm not sure
13 exactly what we've done with those, John, but
14 if you can do -- if a state animal health
15 official, or tribal animal health official can
16 do those six, this part over here is going to
17 be a piece of cake. But they won't be in the
18 regulation because they are not interstate,
19 they're going to -- I hope we'll be able to
20 put those out as guidelines or tasks and tools
21 that if you can do, you can do those.

22 So they're outcome based, they

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1 measure a desired outcome, and how we achieve
2 that, and the time period in which we achieved
3 that. It's supposed to help us evaluate where
4 we are, and it's going to focus on tracing
5 animals that move as opposed to being disease
6 specific. Again, remember -- okay, Dr. Myers
7 is yawning so I'm going to have to hurry up --
8 remember, we're looking at an umbrella
9 approach here to animal movement. We're not
10 looking -- we can put TB, brucellosis,
11 scrapie, EP, foot and mouth disease, African
12 swine sickness, classical swine fever, we're
13 going to put all those up underneath this
14 overriding umbrella.

15 So we'll have a measurable
16 traceability activity, the measure of how
17 we're going to measure that, and then a
18 performance standard. So, for example, a
19 measurable activity would be to trace animals
20 to the state or tribe in which they were
21 identified, and the measurement itself is 95
22 percent of the time within seven days. That

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1 is where this becomes so important, because if
2 these identifications are very clear and very
3 easy to access, you can do this in nothing
4 flat.

5 We just did a little feasibility
6 study among the states that were involved on
7 the working group, and I think John can tell
8 you, but I think we did this in about 30
9 minutes, and that was just the time it took to
10 focus on it, because if you're looking at a
11 bright tag and you look at one and it says 73,
12 you're going to know that's an Oklahoma
13 animal.

14 So Wisconsin could say, Okay, 73
15 bright tag, or official calfhood vaccination
16 tag, call me and say, Hey, we identified an
17 animal of interest that was tagged in
18 Oklahoma. So within an 840 number you are
19 going to have to go to the AIN system, but you
20 should be able to query that electronically,
21 and that should be also just as fast.

22 Traceability unit. You know,

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1 that's a hard kind of word, and we had a hard
2 time coming up with what to call that. But
3 basically, I'll tell you what that is in
4 Oklahoma, that's the farm, or the ranch, or
5 the market. And there's flexibility here
6 built in as well. A state can decide what
7 that traceability unit's going to be. Is my
8 traceability unit going to be a farm, a ranch,
9 and a market, those kinds of locations, an ag
10 barn, fairgrounds veterinary clinic, or is it
11 going to be a county, or is it going to be a
12 region in my state, or is it going to be a
13 state.

14 Well, if it's going to be a state,
15 that's going to make these a little bit --
16 these will be kind of be easy to do. You can
17 say, Oh, my traceability unit's going to be a
18 state. But go down to bullet point 4. It's
19 going to be the unit that you would initially
20 quarantine in the event of a disease outbreak.
21 How can convenient or sane is it to quarantine
22 the state, or to even quarantine a county?

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1 If our mission truly is for you to
2 be able to do business, and for a product to
3 be on the consumer's plate, it ain't going to
4 be a state or a county. It's going to be the
5 farm, the livestock market, the county barn,
6 the ag farm.

7 These are the -- this is what's on
8 page 2 in that handout. So if your eyes can
9 focus here better than there, we'll kind of go
10 through these. And I've really -- if I forget
11 something, somebody in the group please let me
12 know, because I have no idea where I am on
13 this page.

14 Number 1 we just talked about,
15 notify the state or tribe in which the
16 animal -- reference animal is just the one
17 we're interested in -- was identified. Kind
18 of a simple deal. I received the animal, it
19 had a Colorado tag, I called Colorado and I
20 say to Keith, You know what -- let's just say
21 this is a TB trace -- so I'm doing a TB trace,
22 and I've got an animal who was identified in

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1 your state.

2 Well, what Keith is going to go do
3 for me then, he's going to find out where that
4 animal was identified and the information that
5 we need and that he needs to make sure that
6 the disease didn't originate in Colorado and
7 then come to Oklahoma. So pretty simple, 95
8 percent of them time we can notify that state
9 within one day. Now that's a business day, a
10 working day.

11 Another question that's come up for
12 me, because we focused so much the last time
13 on 48-hour response for foreign animal
14 disease, endemic disease, or disease of great
15 economic, catastrophic proportions, and we
16 still want to do that, this doesn't preclude
17 that.

18 If we build this, it's like
19 building the Ark. We can get them on there
20 and get them taken care of, if we build this,
21 we can do it. So business days only makes
22 sense. I'm not going to call Keith on Sunday

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1 and get him out of church to tell him I've got
2 a ID on a Colorado cow.

3 Number two is identify -- I'm not
4 even going to say traceability unit, because
5 for me in Oklahoma it's going to be the farm
6 or ranch. Identify the location which the
7 reference animal was actually tagged. Right
8 now that may be harder for some of us. For
9 me, if you call me and give me an OCV tag, an
10 official calthood vaccinate tag, what I have
11 to do is I call the laboratory, which keeps
12 those numbers -- what veterinarian those
13 numbers were assigned to.

14 So Bob Smith in Stillwater got that
15 tag, and he got it at this time -- and he got
16 it two and a half years ago. Then I have to
17 go to a paper-based filing system and find out
18 where that animal was identified. So I go to
19 Bob Smith, DVM's file in a big set of files,
20 and pull out his calthood vaccination charts.
21 And I just have to go through them and go
22 through them and find where that was.

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1 Two things are a problem, all
2 calfhood vaccination tags before '96 in the
3 state of Oklahoma have been shredded and
4 destroyed. So some of the numbers we got on
5 our feasibility study, in fact, a good number
6 of them, were prior to that 1996, and
7 absolutely not traceable.

8 Then the other thing is, you know
9 what, for a year and a half Bob Smith never
10 sent in an OCVI test chart -- I mean
11 vaccination chart. So I call him on the
12 phone. He goes, You know, that was right
13 after the feds quit paying for it and I
14 thought we just didn't have to send them in
15 anymore. I am not making that up. Those are
16 the excuses I get. So we are depending upon
17 the accredited veterinarian to get it to our
18 office. Then we're depending on our admin
19 assistants to put it in the right file.

20 So we have to allow ourselves time
21 to start to move over getting these things
22 electronically searchable. So we have, in

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1 Phase 1, 75 percent of the time within five
2 business days, and Phase 2, 95 percent of the
3 time within two business days. I will tell
4 you the state Oklahoma failed Phase 1 in our
5 feasibility study miserably. Miserably.

6 Okay. Let's go to number 3, notify
7 the state from which the animal was shipped.
8 Notify the state from which the animal was
9 shipped. So what do I need for that? I need
10 a certificate of veterinary inspection, a bill
11 of lading. Where are bills of lading? They're
12 not in my office; they're at the markets. We
13 never bring those in to the market.

14 So that task, for us, proved in
15 this feasibility study, almost impossible,
16 because that calf may have been identified in
17 Colorado, but that doesn't mean he was shipped
18 to us from Colorado. He may have gone to
19 Ohio, and New Hampshire, and Mississippi, and
20 Texas and come in from Texas to Oklahoma.

21 So to do that, I've got to come up
22 with a health certificate. My health

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1 certificates are in paper boxes, they're filed
2 by import and by export, by date and by
3 species. So how many hours are my admin
4 assistants going to have to go back and just
5 sort through CVIs? That's why we are having
6 trouble tracing animals.

7 Number four, identify the farm or
8 ranch from which the animal interested in was
9 shipped. Notify -- identify that farm or
10 ranch. So you go kind of through the same
11 sorts of things, and until you actually
12 receive 18 numbers in the mail, in the e-mail,
13 and they're not identified with any more
14 information, you don't realize how poorly you
15 do that today.

16 Now, I hope some states did better.
17 John, I hope when you put that together we've
18 got some folks that -- like Indiana, for
19 example. Indiana has mandatory ID, mandatory
20 federal ID, mandatory premise ID, you use an
21 840 tag. So they're way ahead of us because
22 they got their producers to buy into that. My

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1 cattle folks, as soon as the word mandatory
2 came out of it back in the day, said, Screw
3 that, we're going to do it when we have to do
4 it, and we're not going to do it, and we're
5 not going to do it before.

6 And it wasn't just market owners,
7 it was everybody. It probably would have been
8 me before I was where I am now. You know, I
9 got day-to-day work to do. I'm not going to
10 do that till somebody tells me I have to,
11 because I have a lot of other stuff today that
12 I have to. So that was derailed, and we're
13 really at a point now where we have to say
14 we're going to learn -- we have to learn how
15 to be accountable.

16 Electronic health certificates, oh,
17 my gosh, they're going to be a wonderful boon
18 to us. We have two options for that, we have
19 ESPS through Veterinary Services, and they are
20 getting better. Thank you for that,
21 gentlemen, for getting better. Global Vet
22 Link, they've got it down pat. So the more

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1 veterinarians we can get using those, and once
2 they switch over, they love it because it is
3 so much faster, they don't make mistakes, and
4 as they're going through and filling that
5 certificate out, if they miss something the
6 state required, it won't let them go on.

7 But what do you do in Poteau,
8 Oklahoma, where there's not no wi-fi
9 capability? What do you do where there's no
10 broadband available? And in a lot of our
11 states, it just ain't there yet. So we have a
12 lot of progress to make.

13 Let's go on. We've got a little
14 example here. Now I will tell you, I think
15 John Wiemers made this up to help me because I
16 screwed this part of it up so badly every time
17 I talked. But ultimately what you've got --
18 and I am going to have to go to my notes for
19 this just because otherwise I'll totally screw
20 it up -- well, maybe I won't.

21 John, and you might be able to help
22 me with this. Let's say there is an animal --

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1 MR. WIEMERS: Tagged in Wisconsin.

2 DR. BREWER-WALKER: -- tagged in
3 Wisconsin, so what -- it was tagged in
4 Wisconsin and it had a Texas tag.

5 MR. WIEMERS: It was shipped to
6 Texas.

7 DR. BREWER-WALKER: It was shipped
8 to Texas.

9 MR. WIEMERS: And then to
10 California.

11 DR. BREWER-WALKER: It didn't do me
12 any good, did it, that he fixed it for me. I
13 still can't do it.

14 Ultimately, a Wisconsin cow -- a
15 cow that's found in Wisconsin, what's the
16 first thing that's going to happen? The
17 Wisconsin state veterinarian is going to look
18 at the tag and call the state in which that
19 animal was tagged. Right?

20 MR. WIEMERS: Right.

21 DR. BREWER-WALKER: Okay. Then it
22 was shipped to Texas, and Texas to California.

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1 California gets that animal and what do they
2 have to do? One of their performance measures
3 is they've got to figure out from what state
4 that animal came into their state. Well, it
5 was tagged in Wisconsin, so that tag isn't
6 going to help them any. They've got to go to
7 OCVis, they've got to go health certificates
8 to discover where that animal came from.

9 So if they can't -- now
10 California's got a leg up on us because they
11 don't even require health certificates for
12 entry for many classes of cattle. What they
13 do require is a permit. The permit system in
14 California is electronic, so they can go to
15 their permit system and query that.

16 So why don't we go to the next
17 slide now, that you so -- okay, there we go.
18 So number 1, California informs Wisconsin that
19 the ID was there. Number 2, Wisconsin
20 determines the farm or ranch where it was
21 officially identified. Number 3, California
22 informs Texas that the animal was shipped from

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1 Texas, because they've got a permit system.
2 If he had put it in Oklahoma there, I would
3 have stopped there because we wouldn't have
4 found it yet.

5 Number 4, Texas determines where
6 was that animal shipped when it move to
7 California. What good is that? What good is
8 that? Where animals commingle, you have
9 transfer of disease. Every disease is
10 different. You think TB is a long running
11 kind of long term kind of a disease, and this
12 little scenario isn't going to help you with
13 TB.

14 Let me tell you about a feed lot in
15 South Texas. Three pots of cattle were put
16 together, junk cattle, including Mexican
17 cattle that had been used in rodeos. They
18 were not even put together at markets, they
19 were put together in the back yards of
20 markets, in the back yards of farm locations.

21 They were sent to that feed lot.
22 How long were they in the feed lot? They were

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1 in the feed lot less than 12 months. There
2 was 17 animals with TB lesions. Probably
3 there was one highly infected roping animal,
4 and in that year they infected with lots of
5 lesions 17 other animals. So even TB, hot TB
6 in a closed situation, you're all drinking out
7 of the same watering trough, you're all eating
8 out of the same feed bunk, you're all cramped
9 up together, can spread faster than we usually
10 think of TB.

11 If we can learn -- if we can get to
12 where we can do this, ladies and gentlemen, we
13 can be so far up the ladder in our ability
14 to -- where's our nidus of TB in the US? We
15 need to find it.

16 Okay. On the performance
17 standards, we need reliable results, we need
18 to be able to measure ourselves, we did this
19 random exercise. I think that exercise would
20 have been better if we designed it more like
21 we would really get a trace. So I get a call
22 from Dennis Hughes in Nebraska, he's looking

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1 at a TB herd. He knows the name of that herd.
2 He has records that they have in that herd.

3 So he calls me, I say, Yeah, okay,
4 this was vaccinated at this farm. He can tell
5 me more. He can say how long that farmer
6 thinks it's been in the state. So it narrows
7 down my search. I think that probably our
8 biggest problem with our feasibility exercise.
9 Establish values and how can we evaluate those
10 values on a state and tribe basis.

11 Okay. This is our newest additions
12 to the program, and that is to design -- what
13 are we going to call ourselves and where do we
14 fit and what are these -- you know, are we
15 Status I, II, III? You know, Status I you can
16 do everything, you can do it within the time
17 periods allotted, you're Status I. That's
18 going to be -- if this goes the way we think
19 it's going to go, that probably will be
20 published on a website and be available.

21 I can look at, Carter Black, your
22 state -- is Carter still gone -- no, he's

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1 back -- I can look at Georgia and see if
2 you're I, II or III. And I suppose make
3 determinations on what you're going to have to
4 do for your cattle coming into the state of
5 Oklahoma. So that's Status Level I.

6 Status Level II, you're not
7 perfect, but it's not bad. You know, we still
8 feel comfortable with out ability to trace,
9 and we give you a time period to get things
10 corrected, but you stay absolutely with no
11 sanctions to your state.

12 Status III you're reviewed and the
13 review team, which we think at this time is
14 going to be made up of both state and federal
15 officials, kind of like the scrapie reviews
16 that we do in our states for scrapie,
17 consistency. And you will have sanctions
18 against you as a state, and, again, be listed
19 on that website. And those sanctions probably
20 will include things like stocker cattle now
21 have to be individually identified and
22 recorded on a CVI.

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1 Now, so that's kind of a work in
2 progress. Right, John? We don't have
3 anything much else.

4 Okay. Traceability standards and
5 status is specie-specific. If it is the
6 poultry industry that's screwing up, it isn't
7 going to be the cattle industry that suffers.
8 So status is specie-specific. Performance
9 standards are species-specific. If it's the
10 cattle industry that's screwing up, it is not
11 going to be the integrated swine industry that
12 is going to have to pay that higher price.

13 Also, our performance standards and
14 our ID are written specie-specific. One of
15 the things I was supposed to talk about early
16 on is that we're focusing on cattle now, a lot
17 of other industries are already at Phase 2.
18 The swine industry's at Phase 2, the
19 integrated poultry industry's at Phase 2, and
20 those levels.

21 The rule is going to be written to
22 include everybody. We're not going to just

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1 write the rule for cattle. There's going to
2 be the poultry, the swine, the horse, the ID
3 requirements, et cetera, et cetera are all
4 going to be included. And VS and this working
5 group has done a real good job in working with
6 specie-specific subcommittees on coming up
7 with what will those ID requirements be.

8 I think we've really kind of talked
9 about that. That's Status II, standards are
10 not all met, but there's not going to be any
11 additional requirements placed for interstate
12 movement, re-evaluation in a year. And then
13 if, after three years, level's had not be
14 achieved, you go to III. But you can go
15 directly to III, you don't have to pass Go and
16 get \$200. If you're really terrible, you can
17 go right to III.

18 Performance status measures not met
19 for a species or additional requirements,
20 we've a little bit discussed about those,
21 removal of exemptions. And what we've
22 really asked APHIS to do, and they've agreed

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1 to do, is we don't have a year we have to
2 wait. We can get to where we want to be and
3 ask for re-evaluation and try to get out from
4 under that Status III as quickly as we're
5 capable of doing that.

6 This is just sort of what we've all
7 talked about, and I don't think we need to
8 talk about it again. Effective realistic hit
9 the compliance, adhere to the policies and
10 work as a group.

11 Yes, sir? Is that you? Oh, thank
12 god. I didn't think that was mine.

13 Hey, thank you all so much. I
14 appreciate your attention. I'm so glad that
15 you are here because you are taking steps to
16 help your industry. Your input is wanted.
17 You can call any of us on the working group,
18 get my card before you leave. If you have
19 suggestions, if you want anything taken to
20 that working group, please let us know because
21 that's the only way we can bring industry
22 input into the mix. Thank you very much.

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1 (General applause.)

2 DR. MYERS: Thank you, Dr. Brewer.
3 I really appreciate you providing that
4 presentation and the perspective from the
5 working group.

6 And just maybe kind of pull us back
7 up to the 30,000 foot level, because as I
8 mentioned earlier, this is an information
9 dense kind of morning. And Dr. Brewer went
10 pretty far down into the weeds for you, which
11 she needed to do to give you those specifics.

12 But, again, just to kind of
13 summarize where our current thinking is, we're
14 talking about a state-based system, so
15 traceability systems are going to be developed
16 by the states. On the federal side, the
17 requirements are going to be for
18 identification for interstate movement, and an
19 ICVI for interstate movement with certain
20 exemptions, and Dr. Brewer talked about a lot
21 of those exemptions. And then we will be
22 defining in the regulation exactly what we

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1 mean by official identification so that there
2 is uniformity across states as to what is
3 recognized as official ID.

4 And then the performance standards
5 and the state statuses that she talked about
6 are related to those performance measures that
7 states would need to meet in order to have an
8 effective system. So, again, that's just sort
9 of pulling us back to the 30,000 foot level
10 and trying to summarize all of those details
11 that Dr. Brewer mentioned.

12 One other thing I might want to
13 touch on is -- Dr. Brewer did talk a lot about
14 the working group and the representatives on
15 that group being state veterinarians as well
16 as tribal representatives. I wanted to make
17 sure you all had clear in your mind the need
18 for that working group to be a government-to-
19 government conversation.

20 We operate under the Federal
21 Advisory Committee Act, and we pull in folks
22 that are non-governmental, we have to go

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1 through a process of obtaining nominations for
2 participation in those committees, and that is
3 the other committee that I talked about a
4 little bit earlier today, which is the
5 Secretary's Advisory Committee on Animal
6 Health, which will have a traceability
7 subgroup. So that group is going to have
8 official industry and producer and consumer
9 group representatives sitting on that group.

10 And that's kind of the difference
11 between those two groups. However, as Dr.
12 Brewer said, her working group does encourage
13 industry and producer folks to get in touch
14 with your state animal health officials and
15 provide input into that group.

16 So I'll just finish up with a
17 couple more slides here. I know that we've
18 all been sitting in our chairs for quite a
19 bit. Then, Deb, with your indulgence, I think
20 maybe we'll give folks a break, and then we
21 can hear from Dr. Black.

22 This slide talks about some factors

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1 for success, how do we make this system be
2 successful. We are, I think, making good
3 progress in developing strategies that
4 solidify the animal disease traceability
5 framework, and you heard some of those details
6 on that progress from Dr. Brewer.

7 And as she pointed out, there's
8 been a lot of emphasis placed on the
9 traceability performance standards. And while
10 having effective and realistic traceability
11 performance standards is crucial to the
12 traceability framework, other aspects of the
13 animal disease traceability framework are also
14 critical.

15 The success of our tracing
16 capabilities, and in turn the achievement of
17 traceability performance standards, depends on
18 a high level of compliance with the
19 regulation, and adherence to related policies
20 by all animal health officials. High
21 compliance levels go hand-in-hand with tracing
22 capability, and we must work collectively to

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1 achieve them.

2 Compliance factors with regulations
3 and policies could include several items such
4 as evaluating the proper administration of
5 official identification devices by animal
6 health officials, as well as industry. We
7 must maintain a complete and accurate record
8 of official tag distributions. Approved tags
9 and devices must be recognized as official
10 items, and the complete and accurate record of
11 their distribution is fundamental to
12 traceability.

13 With regard to 840 tags, we will
14 continue with the policy of entering
15 distribution records into the animal
16 identification management system, again trying
17 to keep whatever does work and does benefit
18 the states from the old system. The records
19 then would include premises identification
20 numbers, or state location identifiers at the
21 states' discretion.

22 The states or tribes must maintain

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1 the distribution of records for the break tag
2 using their preferred record keeping system.
3 The animal identification management system is
4 being modified to support the distribution of
5 all official identification devices, and
6 states may elect to use this system if they
7 prefer.

8 Meeting the requirement for
9 official identification will also be a
10 priority. That is documenting the percentage
11 of animals requiring official ID that are
12 officially Id'd when moving interstate.
13 Having enforcement protocols and adequate
14 resources is necessary, and we will be working
15 with you on possible protocols for enforcing
16 the official identification requirements.

17 Other compliance factors could
18 include the percentage of official
19 identification collected at slaughter. And I
20 know this is an issue of concern to many of
21 you, in addition to working with the Food
22 Safety Inspection Service, FSIS, on this

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1 issue, APHIS may be more actively engaged at
2 the plants to ensure identification is
3 properly collected. We are considering an
4 inter-agency task force on traceability that
5 will work collectively with FSIS to address
6 the needs of our two agencies on this issue.

7 Additionally, we need to more
8 closely oversee the proper use of ICVIs,
9 including ICVI requirements in the CFR, along
10 with our new national veterinary accreditation
11 program, gives us greater opportunity to take
12 corrective action when necessary with APHIS
13 accredited veterinarians.

14 We realize that APHIS must help the
15 states and tribes fund traceability
16 activities. We envision each cooperator
17 having an animal disease traceability plan
18 that thoroughly describes its objectives,
19 including its traceability unit, and Dr. Brewer
20 talked about the flexibility that states have
21 in defining traceability unit.

22 Federal funding will be provided

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1 through annual cooperative agreements that
2 detail implementation strategies supporting
3 the cooperator's traceability plan. Funding
4 levels will be proportionate with the
5 projected costs of the activities defined in
6 the cooperative agreement and align with
7 achieving and maintaining the traceability
8 unit defined in the state or tribal animal
9 disease traceability plan.

10 Before we move into our discussion
11 session, I wanted to clarify some additional
12 points on the content of the CFR that APHIS is
13 considering. We plan to include a sunset date
14 in the proposed rule to transition away from
15 the use of manufacturer codes and USA prefixes
16 within the animal identification numbering
17 system.

18 On the effective date of the rule,
19 only the animal identification number with the
20 840 prefix would be used for animals not
21 previously identified, if those animals
22 required identification to move interstate.

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1 However, the sunset date would avoid having to
2 retag animals whose identification number
3 includes the manufacturer code or USA prefix.

4 APHIS will add its own requirements
5 for the collection of identification tags at
6 slaughter. These requirements will
7 complete -- or complement those that already
8 exist within the FSIS regulations, and
9 position APHIS to have direct enforcement and
10 oversight of this activity.

11 Also, we plan to eliminate the
12 regulation that disallowed the use of the 840
13 tags on imported livestock. While the intent
14 of the regulation had merit at the time, re-
15 identifying these animals is not practical,
16 especially if the producer or animal health
17 officials need to identify the animal with an
18 RFID tag.

19 We will maintain the regulation
20 that prohibits the removal of official
21 identification devices, except at slaughter,
22 we'll look for ways to improve our enforcement

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1 of this regulation.

2 So with that, I know it's been a
3 long morning already and a lot of information
4 that we've thrown your way. But we really
5 appreciate your attention and your
6 consideration of where we currently stand with
7 our thinking on this rule.

8 There are, as Deb pointed out,
9 sheets on the table that you can jot down
10 questions that may have come to mind as you've
11 listened to the presentations this morning.
12 Please take advantage of that, and we will
13 compile those questions and address them a
14 little bit later in our session.

15 So with that, Deb, do you want to
16 take a break and then we'll come back and have
17 Carter's presentation?

18 MS. MILLIS: Yes, thank you, T.J.
19 I appreciate your comments.

20 (General applause.)

21 MS. MILLIS: We're going to break
22 now for about 15 minutes, and then we'll

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1 resume back in this room and we'll hear from
2 Dr. Carter Black from the state of Georgia.

3 (Whereupon, a short recess was
4 taken.)

5 MS. MILLIS: -- back. So I'll
6 take this opportunity to introduce -- we heard
7 from T.J. Myers this morning, and from Becky
8 Brewer, and now let me take the opportunity to
9 introduce the state veterinarian of the state
10 of Georgia, Dr. Carter Black.

11 DR. BLACK: Thank you. I apologize
12 for having to be out of the room so much this
13 morning, but when the commissioner calls, I
14 can't tell him, Wait. And we had some budget
15 issues we had to deal with.

16 I guess I've been the full gamut of
17 traceability over the last few years, and I
18 was at the meeting in Kansas City earlier this
19 year. I thought that was a pretty good
20 meeting. I was a little -- I thought I was
21 going out there for USDA to tell us what we
22 needed to do, and they started talking about

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1 tracing movement. And I said, Interstate
2 movement, and I said, What are we talking
3 about. Well, you all tell us. And I thought,
4 Oh, we're in a world of hurt right now.

5 But I think that looking at Georgia
6 and where we are right now as far as
7 traceability, if it come to feeder cattle,
8 we'd flat on our face, because we're
9 identifying feeder cattle, unless they're
10 required to be identified by the receiving
11 state. I told Becky Brewer and Dee Ellis when
12 we was in Kansas City, I said, You all make my
13 life real simple. If you all go home and pass
14 a rule that says all your feeder cattle got to
15 ID'd, I said, We'll get her done.

16 But that's something that -- where
17 we're lacking. I know that there's been a lot
18 of discussion about back tag ID, I don't think
19 back tag ID is worth a whole lot, except for
20 slaughter cattle. I trace slaughter cattle
21 all the time. I told somebody at the break, I
22 said, I had one that hit my desk the other

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1 morning. In less than two hours I got a
2 report back from my field people from the
3 stockyard where the cow came from.

4 I also found out from the stockyard
5 that they had this man's other two herds of
6 cattle scheduled for -- to be sold out on the
7 27th, and by -- I decided right then -- well,
8 I decided when I first saw it and knew he had
9 other cattle, we was going to go test the
10 herds. But I knew it had to be done very
11 quickly. By three o'clock that afternoon we
12 had that herd -- those other two herds
13 scheduled and we tested them Monday -- that
14 was on Thursday, we tested them the next
15 Monday, and everything's negative.

16 But, you know, we are able to trace
17 slaughter cattle pretty consistently. I don't
18 remember the last time I had a positive trace
19 back that I did not get traced out to the herd
20 of origin. But the -- we do not have a
21 database that we can enter, and I don't have
22 personnel to enter individual ID from health

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1 certificates. When we was at Kansas City, we
2 asked about what we could put in our
3 cooperative agreements, and we was told we
4 could put a server in there, we could put
5 hardware in there, but we couldn't put the
6 software, the database in there.

7 I don't happen to have \$80,000
8 laying around to buy USA Herd to be able to --
9 we're trying to work towards getting some kind
10 of an in-house database, but still I'm working
11 with a reduced budget and a minimal number of
12 people, and I don't have somebody I can sit
13 there to enter data -- ID data from health
14 certificates every day.

15 I do have a good file of health
16 certificates, they go back -- I usually have
17 about five year's worth stored and retained at
18 all times. But, you know, when you're talking
19 about a TB cow, we may have -- it may be back
20 further than that. So we're going to have to
21 come up with some kind of an electronic
22 database to work on.

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1 I understand that the bright tags,
2 we can make those available to the producers.
3 We're going to have to get out and try to work
4 with our markets and our producers and try to
5 get everybody identifying cattle. We
6 identify, what, Josh, some 20,000 head every
7 year with -- that's source agent, source
8 verified cattle that leave Georgia?

9 MALE VOICE: Yes, probably going
10 out.

11 DR. BLACK: And we've got -- I
12 can -- if I had a database, I could
13 electronically load that stuff right in. But
14 that's some of the issues that I see as --
15 from my perspective with the Department of
16 Agriculture and the state of Georgia, that
17 we're going to have problems. And, yes, if
18 it's within the last five years, I can
19 probably dig back through the health
20 certificates and find the thing, but it's
21 going to be difficult to do because that takes
22 time too.

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1 We're going to have problems too --
2 and try to -- we're going to have to -- on
3 issuing these bright tags to a producer, that
4 producer's got to understand he can't run down
5 the street and take 20 of his tags and put in
6 the neighbor's cattle. Everybody's going to
7 have to have a premise ID and everybody's
8 going to have to get their own shipment --
9 their own supply of tags.

10 You know, I've said all the time I
11 would prefer to use the USDA premise allocator
12 system, but we can come up with a premise
13 system that -- for Georgia. Now I know I
14 talked with a USDA person that does a lot of
15 the IT work the other day, and he said, Well,
16 that's going to be a real problem, but I don't
17 know how that would work out. But I told him,
18 I said, I could put a GA and five digits, and
19 that'll take care of all the premises in
20 Georgia because I haven't got over probably 24
21 or 25 something thousand -- premises in
22 Georgia total, so.

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1 But those are some issues that
2 we've got to deal with. I think, you know,
3 whenever the rules come into being, well, and
4 I don't mind -- if I get the opportunity to
5 speak to producer groups, we could get started
6 on this as soon as folks are interested in
7 doing it. But I think the quicker we get on
8 it, the better off we're going to be.

9 I don't know that -- I don't have
10 any funds that -- as far as trying to identify
11 cattle at stockyards, I think that's going to
12 be a nightmare. I'd rather get them
13 identified on the farm before they go through
14 first points of concentration.

15 But that's kind for what I see as
16 the -- where we are at this point in time, and
17 I know we're behind where I would like for us
18 to be and probably behind where some states
19 are. But I think we're probably right in the
20 mix of where most states are at this point in
21 time, so.

22 But that's about all I've got to

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1 say. Anybody got any questions?

2 (No response.)

3 DR. BLACK: Thank you.

4 (General applause.)

5 MS. MILLIS: Thank you. And while
6 Dr. Wiemers gets set up here, I'm going to
7 just get a show of hands, in our next session
8 we're going to talk about the traceability
9 standards and some of the performance measures
10 and ways that we could know within the states
11 that we're being successful in these, and
12 John's going to talk a little bit about that
13 to frame those questions.

14 But I'd like to get a show of hands
15 how many people are interested in discussing
16 cattle species?

17 (A show of hands.)

18 MS. MILLIS: Okay. And how about
19 sheep or goats?

20 (A show of hands.)

21 MS. MILLIS: Okay. How about
22 swine?

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1 (A show of hands.)

2 MS. MILLIS: And how about poultry?

3 (A show of hands.)

4 MS. MILLIS: So is there anybody in
5 here not interested in talking about cattle?

6 (A show of hands.)

7 MS. MILLIS: Okay. So we might
8 want to have maybe about three tables, just --
9 our a couple of tables to make sure that
10 everybody can have a voice in that and maybe
11 just gather around them.

12 And, John, you want to frame those
13 questions for us?

14 MR. WIEMERS: Good morning,
15 everybody. For those of you who don't know
16 me, I'm John Wiemers. I'm on the traceability
17 staff of Veterinary Services, and I'm glad to
18 be here this morning, glad you showed up.

19 And hopefully this next session
20 will be a great time to start looking at this
21 thing with a fine-toothed comb and getting
22 your reactions, your concerns, the things that

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1 work, the things that you see might be a
2 challenge for you.

3 We would certainly like to look at
4 the list of questions that'll be on your
5 table. There'll be a list that looks like
6 this. And what we're wanting to have feedback
7 with is two areas, and I suppose that before
8 lunch we'll just look at Issue Number 1.
9 Correct?

10 MS. MILLIS: We'll do that first.

11 MR. WIEMERS: We'll do that first.
12 So if you'll look at number one, we're looking
13 about specifically at your reaction to the
14 traceability regulation and performance
15 standards. And keep in mind that if you're --
16 there's topics that come up at your tables
17 that aren't related to these questions, don't
18 lose those questions, but don't get bogged
19 down with those questions.

20 There's another sheet on your table
21 that looks like this. If there's questions
22 that are unrelated to the questions that we're

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1 talking about right here and now, write them
2 down here and we'll address those at the end
3 of the day. So I know it's very tempting to
4 get bogged down on questions that are
5 unrelated to the topic, but if we could get
6 your table's topic questions and discussion,
7 that's really what we're looking for feedback
8 from right now.

9 First of all, we want to know, Will
10 the traceability regulation that we've talked
11 about this morning specifically address the
12 gaps in traceability, or support or complement
13 the ones that already exist for the species
14 being discussed? So for the cattle industry,
15 do these regulations make sense to you? Do
16 they address the gaps that we have in
17 traceability today? You might say, Well, what
18 are the gaps? Well, you might want to discuss
19 that at your table, identify those gaps, and
20 does this help fill those gaps.

21 Number two, Are the regulations
22 requiring official identification and

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1 interstate certificates of veterinary
2 inspection as presented of merit? In other
3 words, will they advance animal disease
4 traceability? So here we're talking about
5 what Dr. Brewer mentioned about the
6 requirements for individual identification and
7 the exceptions that actually the exceptions
8 that are allowed, and those requirements for
9 officially being documented on an interstate
10 certificate of veterinary inspection.

11 We'll be floating around. If
12 you've got any questions about what those
13 regulations mean, or how they're worded, or
14 exactly what they are, if they're unclear to
15 you, we'll be floating around to answer any
16 questions you might have on what exactly was
17 said, because I know it's a lot to take in
18 about what the specifics are. So if you have
19 any questions, just raise your hand and one of
20 us will come to your table and answer your
21 questions about what the regulations are.

22 Also, are there concerns relative

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1 to implementation of these regulations? What
2 concerns does the cattle industry have? What
3 concerns do you -- if you're representing some
4 government organization, what concerns do
5 you -- may you have. If you're from a
6 marketing perspective, what concerns might you
7 have?

8 And also the time lines. Is the
9 April 2011 proposed rule, with final rule of
10 12 to 15 months later, and Phase 1 kicking in
11 at that time and Phase 2 kicking in a year
12 after that, is that time line realistic? We
13 want some feedback on that.

14 So before lunch though, those are
15 the questions we want us to delve into and get
16 some feedback from you on. Again, if there's
17 additional questions you might have that
18 aren't specifically related to these topics,
19 again, capture them on this sheet and we'll
20 address those at the end of the meeting.
21 Okay.

22 MS. MILLIS: And what we're going

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1 to do, or I'm going to suggest to you, is that
2 we -- because of the numbers in the groups,
3 let's maybe divide around three tables so that
4 we've got a small enough group to be able to
5 discuss things in a reasonable way.

6 So if you're at a table for two,
7 maybe come up and join another table, and
8 because the room, during those discussions,
9 could get quite lively, you're welcome to move
10 to a back table so you're away from the group
11 that's up here, or to a table over there. So
12 just space yourselves out, sort yourselves
13 out, find people interested in that same
14 species.

15 And then at each of your tables
16 we'll have, you know, somebody from USDA and
17 somebody who'll be there to help them keep the
18 discussion on track on those questions, and to
19 take some notes so that we can share that all
20 out in the larger group at the end of that.
21 So we're going to do this for about 45
22 minutes.

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1 So any questions about what we're
2 about to do?

3 (No response.)

4 MS. MILLIS: Okay. Well, let's
5 begin. Some of you may have to get up and
6 move.

7 MR. WIEMERS: So each of your
8 tables will have three things. You'll have a
9 note taker, a facilitator, and somebody
10 that'll report out at the end.

11 MS. MILLIS: And if there's too
12 many people for one table, you can either form
13 a new table, or you can just pull another
14 table in.

15 (Break out session from 10:16 a.m.
16 to 11:00 a.m.)

17 MS. MILLIS: -- together as a
18 group, and what we're going to do is, from
19 each table we're going to hear the thoughts
20 and ideas and suggestions that came up from
21 each table. And the way that we'll do that is
22 we want to speak that into the microphone so

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1 that it will be on the record. So at each of
2 your tables, take just a moment and find a
3 spokesman, and then we'll hear a report on of
4 those comments.

5 (Pause.)

6 MS. MILLIS: And, Eva, we're going
7 to start over at your table, I think. And of
8 course you're going to have to speak your
9 comments into the microphone so that we can
10 record them for the record, please. You could
11 talk right from where you are.

12 TABLE 1: Thank you very much. Our
13 table had a very interesting conversation.
14 We've written a few points down that we had
15 talked about, just kind of talking points is
16 the way I looked at them, that I'd like to
17 share with you.

18 The first point was roles for the
19 USDA and, in our case, Georgia Department of
20 Agriculture, is that going to create a lot
21 more hours of work if there were oversight,
22 overseeing or potentially having to be present

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1 at all times when any and all this is being
2 done, is that an issue? For example, are they
3 going to -- people going to be there eleven,
4 twelve o'clock at night before everything's
5 finally loaded off and gone, and that kind of
6 thing.

7 We think that -- let's see --

8 MALE VOICE: At the auction market
9 levels.

10 TABLE 1: At the auction market
11 level type thing. Right. We think that's --
12 we're getting to another point over here, but
13 the auction market is key to getting these
14 things done.

15 We think the traceability unit
16 should be the farms. You can always trace it
17 back to the farm. We need to make sure that
18 we clarify on responsibilities there. Perhaps
19 allot some tags to the markets, to the auction
20 markets so that it -- a producer does not
21 arrive with tags already in, which is the
22 preferable way to be. Then they would have

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1 the ability to tag, but it has to be
2 referenced back to the farm, not necessarily
3 to the market itself, but to the farm.

4 We think that the producers need to
5 be the ones responsible for putting the tags
6 in. That needs to be -- in other words, when
7 they come to the auction market, their tags
8 should be in place. If they are not, then the
9 market should put a tag in, probably for a
10 fee. And that would be up to the market's to
11 decide whether they wanted to do that.

12 Having official CVIs for the travel
13 period is the way to go. We feel like that a
14 lot of large producers are already identifying
15 their animals, and it would be the smaller
16 producers who are the most of the ones that
17 are not identified. And having a role for
18 exigent veterinarians, who'll play a very big
19 role in this, to help the get word out and
20 help to do that, as well as, again, the
21 market.

22 The definition of what is official

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1 is key, in that, you know, for example, I know
2 that lots of -- or we discussed that lots of
3 exhibitions, 4-H kids, they don't want tags in
4 their ears of these animals that they're
5 groomed to perfection.

6 And so what is going to be
7 acceptable as an official ID for this type of
8 an animal? And if it's acceptable in this
9 state, what about that state next door when
10 they go over here to show at this thing. That
11 needs to be some kind of documented thing
12 that's made accessible to these 4-H people and
13 to others such as them, with it up front.

14 If I've read these notes correctly,
15 I think that's it for us. Does anybody else
16 have anything they want to add or change from
17 what I said?

18 (No response.)

19 TABLE 1: Anyway, that's a start.

20 MS. MILLIS: I appreciate you
21 reporting out. You can hand the mike to Eva
22 and she'll give it to the next group.

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1 Is there anyone else before we move
2 on to another table that has anything to add?

3 (No response.)

4 MS. MILLIS: Thank you. And then
5 we're going to come back over here. Sir, in
6 the blue shirt, I don't know your name, but --
7 thank you. It should be on the bottom.

8 TABLE 2: Test.

9 MS. MILLIS: There we go. Thank
10 you.

11 TABLE 2: All right. Well, the
12 biggest problem at this discussion is the lack
13 of memory of data from what was said. But I
14 think our group started off pondering really
15 more and truly, for Dr. Black's sake, what is
16 the gap. You know, I mean where is the gap,
17 and that's where we kind of bogged down a
18 little bit, the gap to traceability.

19 And I guess our understanding is
20 that funding for the state, you know, from
21 the -- in order to make this program work,
22 what you guys would have to do as far as on

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1 the sale barns and providing the database,
2 those kind of things are a big problem for
3 us, understanding who's going to fund it and
4 how it's going to be funded in order to make
5 it work.

6 I think the second issue -- one of
7 the other issues we had was false
8 traceability. If you defined, I guess,
9 traceability as the ability to get back in the
10 event of a disease outbreak, and we're only
11 identifying certain segments, not necessarily
12 everything, do we really have a "traceability"
13 program. So a little bit concerning. I think
14 we shared different perspectives on that.

15 But, and John mentioned that
16 it's -- we're starting from zero, maybe we're
17 moving forward. We're getting half way there,
18 and then later on maybe -- what'll it be,
19 John, three years or five years down the road
20 trying to get feeders in. We'll have maybe
21 closed the gap, but we've got to start
22 somewhere. We've got to shut the door as we

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1 move forward on that.

2 And then this last one is more
3 insurance. Is that what you'd written down?
4 Refresh my memory what I --

5 FEMALE VOICE: Number one, the
6 insurance.

7 TABLE 2: Okay. Well, and I made
8 this comment, so I reiterated for the benefit
9 of the group, but I think if you want
10 traceability to work, you have to get buy-in
11 from all parties, to understand there's a
12 positive reason for it.

13 I'm sitting here from a producer's
14 perspective, but I'm also a tag manufacturer,
15 and I'll discount that for today and just go
16 from the producer perspective. But -- Mark,
17 don't be laughing at that, you're a tag guy
18 too -- as a producer, if you ask me to do
19 something, or put a regulation in place, I
20 want to know how it either affects me
21 positively or negatively.

22 Most of the time, the word

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1 regulation means negative to me. Okay. And,
2 you know, I should look at it a little more
3 positive. But from this issue, been in it for
4 five -- for eight or ten years, because of my
5 industry experience, I've got a little bit of
6 perspective today than I did years ago.

7 When you invest -- and a lot of
8 times we're not talking about just hundreds,
9 we're talking about thousands or even millions
10 of dollars in the cattle industry, in the
11 operation, and you can be shut down because of
12 something that happens to a cow in Washington
13 State, you know, you don't have access to
14 foreign markets now, it impacts your bottom
15 line. To me, traceability is insurance.

16 We have continuation of our
17 operation. If you guys can shut it down at
18 the state level and just quarantine Washington
19 State, and I've fed my cattle in Georgia, I'd
20 be happy. I think all of us with the industry
21 had this explained to us that way.

22 So my suggestion was that we tag

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1 the traceability and frame it to the
2 producers, to the industry, that's what's
3 positive about it, what's good about it from a
4 financial standpoint. We've always said that
5 economics would drive traceability, but we
6 never said, "here's the economic benefit to
7 traceability." So that was the last point on
8 that.

9 Did I leave anything out, Sal?

10 FEMALE VOICE: The time lines
11 were --

12 TABLE 2: Oh, the time lines. I'm
13 sorry. I thought I had addressed that.
14 Anyway, the time lines on the feeder calves
15 we'd like to see time lines adjusted to once
16 we reach the performance standards on the
17 cows, on the breeding stock, then -- what we'd
18 say -- then we would implement feeder cattle,
19 but not set a defined date on the feeder
20 cattle based off the start date of the
21 program, but base the start date of the feeder
22 cattle after performance standards were met.

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1 In other words, when you're getting
2 95 percent of the cows in the state of Georgia
3 traceable, then we'll do the feeder calves.
4 That's -- I think that was your suggestion.
5 Okay. That's it.

6 MS. MILLIS: Thank you. I
7 appreciate it. Can I get your notes? Yes.

8 So were there any other comments
9 from this table that you wanted to add into
10 the record? Anything else?

11 (No response.)

12 MS. MILLIS: Okay. Let's go back
13 to this third table, and hear from you on the
14 kinds of ideas, suggestions, things that arose
15 for you in your discussions at your table.

16 TABLE 3: We had three or four main
17 points of interest in our discussion at this
18 table. We identified a few of the gaps. The
19 first and foremost probably being education of
20 the farmers themselves about this new system.
21 The consensus at the table was that that was
22 the primary shortfall of the system from last

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1 time, and that that needs to be a focus point
2 for the regulation moving forward.

3 Also, it was emphasized that
4 education needs to be broad-based so that it
5 can also interact with those who are already
6 participating in a qualifying identification
7 program.

8 The other idea that was brought
9 forward was in regards to purebred and seed
10 stock animals perhaps having an official USDA
11 ID number included on their registration
12 papers. And that was well received.

13 Another point of discussion at this
14 table was record keeping recommendations. The
15 question was, what would record keeping
16 recommendations look like at the farm or
17 producer level, and although it's not
18 required, it was recommended that farmers hold
19 on to any health certificate for a minimum of
20 three years. Again, this is something that is
21 more of a business practice, not a hard and
22 fast rule.

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1 The time line that was presented to
2 us earlier this morning was acceptable to this
3 group. There was consensus about the proposed
4 dates.

5 And then another big question that
6 we ended the discussion with was about funding
7 and what does animal disease traceability look
8 like without funding, and how dependent is it
9 on funding to identify the gaps that we talked
10 about.

11 Is that a good synopsis? Is there
12 anything else from our table?

13 (No response.)

14 MS. MILLIS: Thank you. I
15 appreciate you reporting out for your table.

16 Anyone else from that table want to
17 add anything? Anything else come up for you?

18 (No response.)

19 MS. MILLIS: All right. What we're
20 going to do next is move on to a second
21 exploration of some of these ideas. And let
22 me call to your attention, before I do that,

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1 that on your tables and on the tables around
2 the room, there are these lists for questions
3 that you may have. We will address these
4 after lunch. So please be sure you write them
5 down.

6 And, John, I'll turn the floor over
7 to you. You can do it from there or here, or
8 wherever you want to be.

9 MR. WIEMERS: I think all the
10 tables here did a really good job of sticking
11 to the questions and diving into the real nuts
12 and bolts of this traceability regulation. I
13 appreciate that. Very good comments and I
14 know the working group will take a look at
15 those and they'll be informative for us as we
16 polish up this proposed rule and start writing
17 it.

18 Again, be thinking about what other
19 questions come to mind so we don't leave today
20 with what about this, or what about that.
21 Just jot them down. If you don't want to put
22 them on the piece of paper she showed you, put

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1 them on anything, just get them to us and
2 we'll address them after lunch.

3 The next section we're going to
4 talk about is the status level, evaluating our
5 traceability performance. Are the
6 traceability status levels, I, II and III that
7 were described in the materials -- and you
8 might want to open up those talking points --
9 or those -- the description on your -- in your
10 PowerPoint presentation that you have in
11 there, to take a look at the description of
12 those statuses -- you know, are those
13 appropriate? Is that an appropriate way of
14 looking at measuring and evaluating the
15 states?

16 This is what the working group
17 looked at and what we're looking at. It may
18 not be the most appropriate way of assigning a
19 status. Some people said, Well, gosh, why use
20 the term status. You know, that might connote
21 that you were talking about disease such as
22 brucellosis status or TB status or scrapie

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1 status. Maybe use a different term.

2 Regardless of that, is that -- is
3 it -- are those designations appropriate, are
4 they a good process for communicating the
5 state's traceability? So just kind of explore
6 that at your tables, see if that makes sense
7 to you.

8 The next question, how could
9 industry contribute to the states and tribes
10 meeting those performance standards? Keeping
11 in mind that you, as industry representatives,
12 won't be doing any of this stuff, it's all
13 going to be the state vet's office and their
14 relationship with the area -- VS area office
15 and digging up the ID and tracing information
16 and the notifications that are involved, you
17 as producers and market operators won't have
18 to do anything unless they call on you for
19 information. So how can industry contribute
20 to the states and tribes in meeting those
21 standards.

22 And thirdly, what additional

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1 requirements for interstate movement of
2 animals for a level of Level III traceability
3 are appropriate? In other words, a Level III
4 is totally inadequate tracing capability and
5 what should we require those states to do so
6 that the animals leaving their state were
7 traceable beyond what we've mentioned in the
8 notes that you have there.

9 So please take those three
10 questions, dig into them a little bit, and see
11 what you can come up with. And if you have
12 additional questions, please don't hesitate to
13 write them down. We'll talk about those after
14 lunch.

15 MS. MILLIS: So what I'm going to
16 ask you to do is get back in your groups,
17 following about a five minute bio break that
18 some people would appreciate, and then what
19 we'll do is, in those groups discuss these
20 questions that John just framed for us.

21 Also, you know, if you want to move
22 to a different group, that's fine. Or if your

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1 group needs to move away so you can hear each
2 other better, that's fine. We've got a big
3 room and we can make use of it. If you're
4 comfortable where you are, that's great.

5 So we're going to have you discuss
6 this next set of questions, or whatever else
7 comes up for you at your tables. When that's
8 done, we're going to do the same thing again.
9 We're going to -- whoever took the notes,
10 we're going to ask for some representative
11 from your table to report those back out to
12 the group so we can capture them, and we're
13 going to make sure that that information gets
14 into the rule.

15 So any questions about what we're
16 about to do?

17 (No response.)

18 MS. MILLIS: All right. Go ahead
19 and take a break, start your discussions
20 again, and we'll -- closer to the hour we'll
21 come back together as a whole group and talk
22 about it.

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1 (Break out session from 11:20 p.m.
2 to 12:10 p.m.)

3 MS. MILLIS: Thank you.

4 TABLE 1: You're welcome. At this
5 table in the second break out session, we
6 tended to focus on the very first bullet point
7 on our list, and we had several things that we
8 discussed. Most of the discussion focused
9 around when first performance evaluations
10 should be administered at the state level.

11 The consensus of the table was a
12 range that began as 12 months after the
13 implementation, or the published rule becomes
14 law, to 24 months. So the discussion varied
15 among those two dates, or those two time lines
16 in that range. Twelve months after the rule
17 becomes law, and 24 months after the rule
18 becomes law. I think a lot of that discussion
19 here concluded that it will be independent to
20 each state.

21 Other things that we discussed
22 about the first bullet point was about

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1 funding, and we cater to the consensus that
2 funding is critical to implement these plans
3 and that certainly states will have to come up
4 with some "creative" sources of their funding,
5 meaning that they should not rely on
6 cooperative agreement funds to manage their
7 animal disease traceability program.

8 The last main topic of discussion
9 at this table was regarding how that funding
10 should be used, and the consensus, almost
11 unanimously, of the table was on producer
12 education. Educating the farmers themselves
13 about what the actual standards are and what
14 the performance evaluation will mean at the
15 farm level. This should be done through
16 current industry groups and associations.

17 Did I miss anything?

18 (No response.)

19 MS. MILLIS: Okay. Any other
20 comments from that group that you want added
21 to the record?

22 (No response.)

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1 MS. MILLIS: All right. Let's go
2 to this group here.

3 Did I hear one more? Hold on. Oh,
4 you got the mike. All right.

5 TABLE 2: Very similar type of
6 discussion at this table, funding, where was
7 it going to come from, funding for software,
8 people to enter in the data for the -- you
9 know, that's being collected, those type
10 things.

11 Also, just more specificity between
12 the status, from III to II to I, it seemed
13 like II's the same as one, and -- to me -- and
14 what are going to be the consequences if
15 you're in III? What's going to happen there.
16 So I just feel like a little more specificity
17 needs to be there.

18 And also education. We've just got
19 to educate the producers, that type of thing,
20 help them out as much as possible, and if we
21 can, put some of that funding towards that.

22 Anything else?

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1 (No response.)

2 MS. MILLIS: Thank you. I
3 appreciate that.

4 Any other comments from that table?

5 (No response.)

6 MS. MILLIS: All right. We'll move
7 over here to the third table.

8 TABLE 3: Well, we're the problem
9 group because we don't like to stay on the
10 bullet point, so when we're talking about
11 Level I, II and III and it kind of came down
12 to we talked about is this just regulatory for
13 the feds to judge the state vets in order to
14 determine funding. If that's so, that's one
15 issue.

16 But it also has an economic issue.
17 If a state becomes a III because of foreign
18 trade, or because of someone from Kansas
19 saying, Well, Georgia's a Level III so we're
20 not going to get any cattle from there. So we
21 realize there has to be judgments in order to
22 settle the funding and realize that. But it

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1 does have an economic issue if you're labeled
2 a III, or even a II versus a I. So that needs
3 to be taken into account.

4 The other thing we looked at is
5 basing the funding strictly on those levels, a
6 I, II or III, when you do that and say, Well,
7 you're a III so you're not doing the job so
8 we're going to take funding away, the
9 funding's what you need to move from a III to
10 a II, or from a II to a I. So that needs to
11 be looked at very strongly by the group,
12 whether there's a baseline funding, and then
13 if you're doing a good job or you have a block
14 grant mentality, okay, to move forward in this
15 one area, maybe we give funds specifically for
16 that issue.

17 The other things that we looked at
18 was from industry things needed is, of course,
19 education. I think that's been hit all day.
20 That was the problem with a prior program that
21 was tried to put in. It was pointed out that
22 a lobbying can't be done by USDA, but industry

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1 needs to do that for the funding to move
2 forward in these programs.

3 And something that was brought up
4 at our table was the funding of federal vets,
5 some of our markets in the state don't even
6 have a vet. A vet makes more spaying or
7 neutering two dogs and cats than it does
8 spending all day at a market.

9 So whether it be a federal
10 employee -- a federal vet, or a federal
11 inspector that has the authority, and then we
12 get into problems with the American Veterinary
13 Association of not having a vet. But those
14 are some issues that need to be taken care of
15 in order -- especially you move down the line
16 towards actually doing tagging and that type
17 of thing there.

18 We brought up, of course, the
19 privacy issue and why, again, part of the
20 program didn't work before, of certain farmers
21 saying, Well, if it's going to be tagged, then
22 we're just going to get totally out of it.

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1 That's a legitimate concern for some of the
2 producers of not wanting that, and also the
3 liability issue, which I think has been
4 addressed quite a bit that, you know, just
5 because they found E. coli in the feed lot,
6 it's not going to go back to that farmer that
7 had 20 cows.

8 So I think -- anything else, gang,
9 that I've overlooked?

10 (No response.)

11 TABLE 3: That in a nutshell is
12 kind of what we came up with.

13 MS. MILLIS: Thank you. I
14 appreciate that.

15 We're at a time to break for lunch
16 now. And many of you have required questions
17 for us, and if you could see that I get those
18 up here, that would be great. And I'd like to
19 come back an hour from now, so by my clock
20 it's about 20 minutes after 12:00, and so if
21 we could come back at 1:20, we'll be happy to
22 address the questions that you may have

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1 written, and others that may have come to your
2 mind while you were at lunch.

3 You want to be back at 1:30?

4 FEMALE VOICE: Yes, they can --

5 MS. MILLIS: 1:30, yes. 1:30.

6 (Whereupon, at 12:20 p.m., the
7 meeting adjourned, to reconvene at 1:30 p.m.
8 this same day, Friday, August 20, 2010.)
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A F T E R N O O N S E S S I O N

(Time Noted: 1:30 p.m.)

MS. MILLIS: We've had time to return from lunch, and I know some folks have had to leave over the lunch hour. And I think other people may be coming in as we begin. We want to take this opportunity to address some of the questions that you had. So I'm going to ask Dr. John Wiemers to come up and address some of them, and some of them may be addressed by Dr. T.J. Myers, both of those folks are with Veterinary Services.

And then we'll open the floor in case you've thought of some other questions that haven't been addressed, or you need further clarification. When we do that part, all of this will be recorded on the record, and when we do that, I'd just ask you to let me have enough time to leap across the tables and get a microphone to you so that it could all be recorded in the record.

Thank you, John.

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1 MR. WIEMERS: Thanks, Deborah.

2 We just had a few questions here,
3 and some of them might have already been
4 answered in the break out sessions, but I'll
5 go through them anyway.

6 The first question we had was,
7 Regarding the removal of the requirement for
8 840 tags in only US-born animals, would that
9 mean an animal tracing event would end with
10 the owner of the original imported
11 traceability unit, such as an animal in
12 question originates in Mexico, can/should
13 officials trace that animal back to the ranch
14 in Mexico, not just the person or farm who
15 imported it?

16 Ideally, and animals coming in from
17 other countries, Canada and Mexico, other
18 countries, would have an identification tag
19 from that importing country. Our regulations
20 are stating that that animal ID is official
21 for interstate movement in this country as
22 well, and should be maintained for the life of

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1 the animal.

2 So hopefully those tags aren't
3 getting removed. I know it's the practice in
4 many feed lots to clean up the cattle when
5 they enter the feed lot, and put in your own
6 management tags, but hopefully those country
7 of origin tags would be maintained so that we
8 can trace those animals back to the country of
9 origin.

10 Unfortunately, some tags do get
11 lost, as all tags do. So what do we replace
12 them with? If the tag, for instance, coming
13 in from Canada is an 840 -- is an RFID tag
14 that's put in in Canada, and it's useful on
15 the farm for say a dairy cow that's being
16 maintained in a dairy herd, and it falls out,
17 what do they replace it with?

18 Well, in the past, with having the
19 840 only used for country -- US-born only
20 animals, that would limit the type of RFID
21 device that could be put in as a replacement.
22 We realize that going forward that we would

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1 like to replace that official ID from Canada
2 with an official ID from the United States so
3 that it could be used for interstate movement.

4 As we phase out the manufacturer
5 coded tags for -- that are used for RFID
6 today, as by definition of official ID, that
7 would limit the amount -- the type of tag that
8 could be used. So just because of that real
9 difficulty and availability of official tags
10 that could satisfy the needs for the producers
11 we're going to say that that tag could be
12 replaced with an 840 tag.

13 Did that answer the question of the
14 person that answered it -- asked it? Okay.
15 All right.

16 But certainly we do want to
17 maintain those country of origin tags as long
18 as they can.

19 Second question, Regarding
20 federally approved livestock facilities for
21 tagging cattle for slaughter only, who
22 approves those locations, and what would some

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1 examples be?

2 The slaughter only animals would
3 be, by our proposed regulations, be exempt
4 from official identification if they're going
5 directly to slaughter. So I'm not sure if
6 that answers the question. If they're -- if
7 the question was asking about tagging sites,
8 those tagging sites in general, where would
9 official IDs be placed, USDA would be
10 approving those tagging sites, because they
11 will be putting in federally official ID. It
12 would probably be done in cooperation with the
13 state, however.

14 So, just like today, federally
15 approved livestock markets. It'll be the same
16 kind of a system where there'll be some
17 requirements. We have yet to establish what
18 those requirements would be, except that they
19 would maintain records of tags applied, of
20 course, and to whom they were applied to.

21 And it says, Give some examples.
22 They mentioned buyer stations, livestock

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1 markets, farms, it could be any or all of the
2 above. It could be a vet clinic. We
3 anticipate the bulk of them might be livestock
4 markets, unless the livestock market simply
5 says, We don't have the facilities to tag
6 animals at our market. We don't have the man
7 power to do it, even if we charged a fee for
8 it, we just simply don't have the time to do
9 it. We want all the animals coming in to our
10 market to be pre-identified. That would be a
11 marketing decision.

12 And there might be an opportunity
13 there, a niche for somebody to establish a
14 tagging site, whether it be something that
15 they could go to before they go to the market,
16 or something that they could provide as an on-
17 farm service to tag the animals on the farm, a
18 mobile tagging service, or something like
19 that. So there's a variety of options there
20 of how that might happen.

21 Number three, Who enforces the
22 sanctions when a state is classified as a

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1 traceability Status III? These statuses are
2 designated by USDA, so the enforcement would
3 be through USDA. As far as the process by
4 which that happens, that's yet to be decided
5 because this whole concept of traceability
6 status is a new concept and we're still
7 working through that. You're providing us
8 some information today on what should that
9 process be and how should it be taking place.

10 It says, Would potential sanctions
11 ever be tied to cooperative agreement funding?
12 Our current thinking is no. we realize that
13 if a state is in Status III and is struggling
14 to have traceability, the worst thing you can
15 do is take away the funding to improve their
16 traceability. So we want to establish
17 basic -- some basic infrastructure cooperative
18 agreement funding to allow all states to make
19 progress.

20 It says, What could or would
21 specific sanctions be in a Status III? Well,
22 we talked about some of them at the tables

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1 this morning and this afternoon, and I think
2 we talked about removal of exemptions and we
3 talked about some of the tables reported add
4 additional requirements. Those are still
5 under discussion. We still have another
6 meeting in Pasco, Washington, and we're
7 looking at some written comments coming in.
8 Any of you could comment on that, on what you
9 think the sanctions ought to be, and who they
10 should be directed to, and how they would take
11 place.

12 If after today you -- on your way
13 home you say, Oh, gee, that's what I wanted to
14 ask, go ahead and write the comment down and
15 send it to us, because we'll -- it'll still be
16 good information for the working group to talk
17 about.

18 Another question on funding, How
19 will funding be determined, by state size, by
20 volume of species moving? Those sound like
21 reasonable parameters. Today our cooperative
22 agreement fundings have historically been

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1 based on the size of the livestock population
2 in the state, the number of livestock
3 operations that are in the state, the number
4 of livestock markets that are in the state,
5 just the anticipation what the volume of
6 livestock movement is, and the complexity of
7 the movement of livestock.

8 And so we anticipate that the
9 cooperative agreement funding will be hinged
10 not only to the size of the state, but also
11 the complexity of the traceability plan. If
12 the cooperative -- if the state's traceability
13 plan is simply to identify the traceability in
14 the state, it doesn't take a lot of
15 infrastructure to identify the state as the
16 traceability unit.

17 Of course, you know, as been
18 mentioned today in our break out session, and
19 Dr. Brewer mentioned it, and Dr. Black
20 mentioned it, that you can't anticipate many
21 states choosing the state as the traceability
22 unit, but we're leaving that as flexibility.

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1 And so if a state is building a traceability
2 plan that will provide traceability back to
3 the farm of origin, that's certainly more
4 complex than just identifying the state as a
5 whole as a traceability unit. And so the
6 amount of cooperative funding to support those
7 two different plans would be obviously
8 different.

9 Any questions about that rationale
10 that I just explained to you, or any other
11 questions regarding the funding?

12 (No response.)

13 MR. WIEMERS: It's important, as
14 I -- when I move off of that topic that we
15 don't have some other -- okay. Thank you.

16 Okay. Another question. Is it
17 possible for a facility, or a sale barn, a
18 single entity to lower a state's traceability
19 status by, I presume by failure to keep
20 records or whatever, and what happens then?

21 I suppose that if a single facility
22 handled a lot of interstate movement and

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1 didn't have good records, and the test
2 animals, the animals of interest that the
3 state used to measure their performance moved
4 through those livestock markets, and we didn't
5 have the -- they didn't have the ability to
6 find them, that certainly can impact their
7 measurement of their performance.

8 And so I guess the question could
9 be, yes, it's possible. And what happens
10 then? Well, the state could lose -- it could
11 have a different status. I guess what happens
12 then, how does the state interact with that
13 particular facility or sale barn or whatever
14 to get up to a higher level of operation,
15 well, that's what state veterinarians do.

16 They probably call on their AVIC to
17 help work with their sale barn and the
18 livestock inspectors that normally visit that
19 livestock market, the field VMOs that
20 typically visit that market or facility.
21 They'd work closely with them like they always
22 have to do better.

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1 Today most of the -- most, if not
2 all, the livestock markets in Georgia are
3 federally approved. Is that correct, Dr.
4 Black?

5 So there's already a relationship
6 between the state and federal people in those
7 markets to work closely with them to do things
8 like keeping records. That's a requirement
9 for federally approved markets.

10 There's already a requirement in
11 that process to keep good identification
12 records and make sure that animals moving in
13 and out are identified correctly, to identify
14 sick and diseased animals that are moving
15 through and to report them correctly, and to
16 provide all the paperwork that's required for
17 moving those animals out of that facility in
18 interstate movement. So that's a good
19 relationship that's already established here
20 in Georgia, as it is in many states.

21 And so that kind of relationship
22 would be the kind of relationship that's

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1 needed to improve the traceability in these
2 places. I don't anticipate that the record
3 keeping that's been doing a good job of
4 tracing animals heretofore, that as Dr. Black
5 mentioned, going through markets to trace back
6 tags back to the farm of origin.

7 If it's working today, it'll
8 probably work really well in the future. So I
9 don't anticipate much more that has to be done
10 at that level, but certainly if there was
11 discrepancies, they can be identified and
12 quickly corrected.

13 Any other follow-up questions to
14 that, or anything that I said that you would
15 like me to clarify on that point?

16 (No response.)

17 MR. WIEMERS: Okay. The last
18 question, that's on paper anyway is, How is
19 the confidentiality of records being
20 considered and reconciled? The information
21 that's collected regarding the traceability
22 unit is at the state level.

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1 So whatever the state identifies as
2 the traceability unit will be state records.
3 It won't be held in a federal database. It
4 would be accessible only to the state. Any of
5 the records that we use for our tracing
6 purposes will be simply for tracing purposes.

7 We have had a very good record of
8 not disclosing information on interstate
9 movements for decades through Veterinary
10 Services. And we don't intend to change that.

11 We've been challenged in the past
12 years -- over the years about freedom of
13 information and so forth, and we have held
14 fast, and the judges and honored our request.
15 So I think we've got a good track record
16 there; we intend to keep it. And working with
17 the states so that the most confidential
18 information will be held at the state level
19 will improve, will handle that.

20 Any other questions about the
21 confidentiality issue?

22 (No response.)

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1 MR. WIEMERS: Okay. Well, that's
2 the last written question we have. Are there
3 any questions from the floor? Are there any
4 answers from the floor? Are there any
5 comments that aren't necessarily questions
6 from the floor?

7 (No response.)

8 MR. WIEMERS: Did you all have a
9 good lunch, or are we dealing with
10 postprandial depression here?

11 (General laughter.)

12 MS. MILLIS: We have a comment over
13 here.

14 There's a mike for you, sir.

15 AUDIENCE: What are you hearing
16 from Congress as far as funding? Are they
17 looking at hearings, or are they looking at
18 one-sheeted program outlines, or where -- I
19 know they took all the funding away of the
20 NAIS, have they said anything on what they
21 intend to do with ATD?

22 MR. WIEMERS: I'm going to turn

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1 that one to Dr. Myers.

2 DR. MYERS: Well, since it's
3 August, Congress is out of town, so we haven't
4 heard much lately. But where things stand
5 right now, the House mark up zeroed out
6 traceability. The Senate left it in as a
7 placeholder with a request that the Department
8 submit a plan to Congress as to how the
9 program would be structured moving forward.

10 And so we are in the process of
11 answering that request, and we'll have that
12 available to them whenever they return from
13 the August recess. So it's still an ongoing
14 dialogue at this point.

15 MS. MILLIS: Other questions?

16 (No response.)

17 MS. MILLIS: Anyone else have any
18 final thoughts for the day?

19 Right over here.

20 DR. BREWER-WALKER: I am going to
21 read this. I put together some documented
22 statistics to use when I go out and visit with

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1 producers about why do we need traceability.

2 And what this is, it's a little
3 document I put together, and I'll share it
4 with any of you who would like it; I could
5 e-mail it to you. And it's at what cost the
6 2001 and 2007 foot and mouth disease outbreak
7 in the United Kingdom.

8 As we all know, there have been
9 two. There was one in 2000-2001, the
10 Pirbright incident in 2007. So let's look at
11 the duration of the 2001. This is just the
12 duration of the outbreak. 2001 it was eight
13 months; 2007 it was four. The animals
14 depopulated in 2001, 6 million; animals
15 depopulated 2007, 2,160. Farms depopulated in
16 2001, 120,300; farms depopulated in 2007, 10.
17 Suicides, 2001, 60; suicides, 2007, none.

18 Cost in US dollars: 2001, 19
19 billion; 2007, 200 million. Time to regain
20 normalization of trade following the
21 eradication of disease: 2001, 18 months;
22 2007, two months. The monetary cost of the

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1 2001 outbreak has only been exceeded by one
2 event in Great Britain, and that was World War
3 II.

4 What was the difference in the two
5 outbreaks? One, they learned you stop
6 movement and you stop movement fast. Two,
7 their equivalent USDA was completely
8 dismantled following 2001 and rebuilt, and
9 they had mandatory animal ID and mandatory
10 movement recording.

11 Thank you.

12 MS. MILLIS: Thank you, Dr. Brewer.

13 Anyone else today?

14 (No response.)

15 MS. MILLIS: Then I'm going to turn
16 the floor back to you, Dr. Myers.

17 DR. MYERS: Thanks, Deb.

18 I just want to close out by again
19 thanking you all for taking time from your
20 very busy schedules to spend a day with us.

21 Again, I hope you've seen that this
22 process of collecting information and comments

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1 from all of you and helping steer us in the
2 right direction is really, really critical to
3 us.

4 And I think just in the hallway
5 I've heard some good comments, folks saying
6 that they really have enjoyed having that
7 opportunity, and that it is a very different
8 approach than what they've seen in the past,
9 and that you appreciate that, so that was very
10 gratifying for me to hear that.

11 So, again, thank you all. We
12 really do value your input. We'll take all
13 these good comments back to us -- or back to
14 the office with us, and hopefully whenever we
15 get to the proposed rule next April you'll
16 like what you see.

17 All right. Thanks again,
18 everybody. Have a good weekend.

19 (Whereupon, at 1:55 p.m., the
20 meeting was concluded.)

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