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

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PUBLIC MEETING

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WEDNESDAY,

AUGUST 18, 2010

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        The public meeting convened at the
Crowne Plaza Madison, 4402 East Washington
Avenue, Madison, Wisconsin at 10:00 a.m.,
Deborah Millis, moderator, presiding.

PRESENT:

    DEBORAH MILLIS
    DR. ROBERT EHLENFELDT
    NEIL HAMMERSCHMIDT
    DR. JOHN WEIMERS
    DR. JOHN CLIFFORD

    DR. DAVE MORRIS
    DR. BRETT MARSH
    CATHERINE BROWN

C-O-N-T-E-N-T-S

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

 2   10:00 a.m.

 3   MS. MILLIS: I want to welcome

 4   everyone here today. I know some of you may

 5   have driven a long ways. I had a beautiful

 6   drive across Minnesota and Wisconsin

 7   yesterday. I managed to get through the good

 8   weather.

 9   My name is Deborah Millis. I work

10   for the USDA, and my role here today is to be

11   the moderator, to keep track of the agenda, to

12   keep us on track. If you have any questions

13   or there is something you need that I can help

14   you with, just flag me down and I'd be happy

15   to do that.

16   I want to go over our agenda today

17   and talk about what we're going to be doing

18   this morning. And we're going to begin with

19   some opening remarks from Dr. Clifford, the

20   Chief Veterinarian of the United States. And

21   then we'll hear from Dr. Ehlenfeldt from the

22   State of Wisconsin on the state's perspective

1   on animal disease traceability. And then

2   following that, we'll hear about APHIS'

3   Veterinary Service Animal Disease Traceability

4   Framework. And then we'll hear from Dr. Marsh

5   about the work of the regulatory working group

6   that has been meeting over the past many

7   months to prepare for the rule making around

8   traceability. And then we'll be breaking for

9   lunch.

10   And the hotel has agreed to put a

11 buffet out today. It's a pasta buffet and

12 salads and things like that, and that would be

13 a cost of $13. That's just purely optional,

14 but if you think that is something that you

15 might be interested in, if we could get a show

16 of hands of who might be willing to partake in

17 that so that they kind of get a sense of how

18 much to provide today? So, that will be

19 happening mid day. So, anyone who thinks they

20 might be interested in that, if we could just

21 do a show of hands.

22   Okay. So, then what will happen

 1   in the afternoon is that we're going to break

 2   out and have discussions around the tables.

 3   And you'll see that there's some labels that

 4   are related to a particular species. We

 5   figure most folks are interested in cattle but

 6   we also may have folks that are interested in

 7   sheep or equine species or maybe aquaculture

 8   or any other kind of thing that we didn't

 9   think of.

10   What's going to happen in those

11   meetings is we're going to reflect on our

12   traceability capabilities and how we might be

13   able to measure those and any consequences or

14   incentives that we may be able to build in as

15   we move forward in forming this regulation

16   with your input. And so, those will be

17   working sessions. And we'll talk a little bit

18   more about that before those occur.

19   So, let me also mention that out

20   the door here and just slightly to our left as

21   we go out these doors is where the necessary

22   rooms are. Please feel free to go use those

1   whenever necessary. Out this other door is

2   the nearest fire escape, just out the door and

3   to our right. And I hope that we won't be

4   using that during this meeting.

5   Make yourselves comfortable and we

6   welcome your input today. And with no further

7   ado, I want to turn the floor over to Dr.

8   Clifford.

9   DR. CLIFFORD: Thank you, Deb.

10   You know, I wanted to thank everybody for

11   taking the time out of their schedules to be

12   here today. Actually, I'd like to see, could

13   you all raise your hand if you're a producer?

14   Thank you all. And I really want

15   to thank you, the producers especially for

16   being here today because I know that this

17   takes time out of your schedules for the work

18   on the farms and the activities that you all

19   have that are so important to yourselves and

20   your livelihood as well as the nation's

21   livelihood in helping feed this country.

22   So, with that, I wanted to also

1   state that this is the first of three of these

2   public meetings. In addition, there will be

3   another meeting with NIAA and USAHA, which is

4   the National Institutes for the Animal

5   Agriculture and the U.S. Animal Health

6   Association, that will also be in my other

7   remarks. But the reason I state that is you

8   all are the first group to be able to see the

9   more comprehensive plan and to give us

10 feedback on that. Your comments are very

11 important to us.

12   We will be, there's a recorder

13 here to take all those comments. But also, at

14 the end of the individual breakout sessions,

15 that will happen as well. We want to make

16 sure that we hear from you and listen to your

17 concerns, support or not, whatever those

18 issues are, so that we can take back those

19 comments, compile them in the development,

20 further development of this program and the

21 development of proposed rule.

22   This will not be your last

1   opportunity to comment. As we put out a

2   proposed rule, that proposed rule will go

3   public for everyone to be able to comment on

4   again before we take final actions on that

5   proposed rule.

6   So, with that, we'd like to get

7   started with the day's session. And first,

8   I'd like to introduce Dr. Bob Ehlenfeldt, the

9   State Veterinarian in Wisconsin, to talk about

10   the state perspective. Bob?

11   DR. EHLENFELDT: Thank you, Dr.

12   Clifford, and thank you for hosting one of

13   these meetings here in Madison, Wisconsin.

14   Dr. Marsh, nice to see you. It's always good

15   to see another state veterinarian here as

16   well, and you'll be speaking a little bit

17   later.

18   If you're anticipating a juggling

19   act this morning, you're not going to see one.

20   I'm just going to set these over here so I

21   don't knock them on the floor. We're going to

22   use them later.

1   Okay. The traceability, the

2   Wisconsin perspective. Wisconsin livestock

3   producers have always been leaders in animal

4   disease control programs and strong partners

5   with USDA. We've been brucellosis and TB free

6   for 25 years. We're a pilot state in the

7   pseudorabies eradication efforts. Back in the

8   1980s, we were the first state with a

9   mandatory premises registration plan under the

10   old U.S. Animal Identification Programs. And

11   we plan to be leaders in traceability.

12   Why is it important? There's cash

13   values at the farm gate to Wisconsin

14   livestock. And Joel next year will be able to

15   add farm-raised deer to this mix with your

16   economic study, correct? So, six billion

17   dollars at the farm gate in Wisconsin.

18   I got a little ahead of myself

19   here. Here we go. When I was approached to

20   give the Wisconsin perspective, I wasn't

21   exactly, you know, how am I going to do this?

22   How do I cover traceability from the Wisconsin

 1   angle?

 2   So, what I'm going to do is talk

 3   about my 25 years as a regulatory veterinarian

 4   here in the state and some of the disease

 5   outbreaks we have dealt with. And unlike the

 6   guy in this cartoon, unfortunately for all of

 7   you, I can still pretty much remember

 8   everything, but that is beginning to fade.

 9   1985, as I mentioned, Wisconsin was

10   brucellosis and TB free. We were one of the

11   few states with a Johne's disease control

12   program that consisted of education, talking

13   about herd management on the farm, calf

14   management on the farms and vaccination.

15   Interestingly enough, for

16   Wisconsin, 1953, there were about 110,000

17   dairy herds in the state. Did the first

18   brucellosis ring test, 7,500 of those herds

19   were positive for brucellosis. So, we've had

20   disease problems, we've dealt with disease

21   problems in the past. In 1985, we also had

22   just regained our TB free status from an

1   outbreak in Northeast Wisconsin.

2   One of the interview questions I

3   had when I applied for my first job as a field

4   VMO was did I know anything about bleeding

5   pigs. Being a Grant County, Wisconsin

6   practitioner, the leading hog county in the

7   state, I'd said yes, I've bled some pigs for

8   interstate movement. And apparently that was

9   a tie breaker question because I actually got

10   the job and that's when these things all

11   started.

12   Wisconsin was a pilot project

13   state for pseudorabies eradication after the

14   pork industry nationally went to USDA through

15   USA Animal Health and the old Livestock

16   Conservation Institute and said we need to do

17   something about this disease on a national

18   level, it's costing us a lot of money. The

19   program was a pilot in '85. By 2000,

20   Wisconsin was pseudorabies free. And by 2004,

21   the U.S. was pseudorabies free.

22   From about 1985 to 1995, I did

1   spend some time at the diagnostic laboratory.

2   Efforts were concentrated really on

3   pseudorabies eradication efforts.

4   Surveillance for brucellosis and TB, one of

5   the issues we had, we were brucellosis free,

6   TB free, very few infected herds in the

7   country. I kept hearing from the then people

8   with gray hair that I was working for saying,

9   man, you guys are going to work yourselves

10   right out of a job. We're not going to have

11   anything to do in the future. We sort of

12   dealt with that problem. It's good to be

13   young and naive, we found out in 1995.

14   We had a TB effort in Northeast

15   Wisconsin. It took us about three weeks to

16   trace that heifer to Michigan. We used scale

17   weights to trace it. It took me another eight

18   months to prove to, I think it was Leonard

19   McCoy, the TB yuppie, that we actually had a

20   good trace to Michigan.

21   And you can see what happened in

22   Michigan since then. Interestingly enough,

1   that particular heifer had gone through, if

2   memory serves, three dealer hands, one in

3   Michigan, two in Wisconsin, two Wisconsin

4   markets, and it never had an official ID tag

5   in it until it left the second Wisconsin

6   market at that time. And then about four

7   months after that, we found it infected with

8   tuberculosis.

9   Again, we continued to work on

10   those programs, pseudorabies, brucellosis and

11   TB. 1999, we came up with a new

12   classification for Johne's disease in the

13   state. Once again, because the producers were

14   concerned about how much Johne's disease was

15   out there, what it was costing them

16   economically and wasn't there a better way to

17   deal with it. So, we came up with a

18   classification plan that we developed with

19   industry. A university was involved. And

20   that program actually pushed Johne's disease

21   control at the national level, and Wisconsin

22   was a significant player in securing some

 1   funding for that program.

 2   2000, I mentioned to Jane Edison

 3   this morning that I wasn't exactly sure on

 4   this date. We had a producer meeting, an

 5   industry meeting in our office about problems

 6   with ID. Registrations were dropping off on

 7   registered livestock. Brucellosis

 8   vaccination, heck, we were brucellosis free,

 9   there wasn't much TB, there weren't many

10   animals being tested. And so, we were losing

11   ID and how were we going to be able to trace

12   these animals if we have a disease problem.

13   So, we started talking about some

14   of these things at the Wisconsin level. I

15   talked to Dr. Tom Howard, the previous state

16   veterinarian, because I knew he was involved.

17   I tried to pin this date down and all we could

18   come up with between the two of us is that it

19   was just before this happened in Great

20   Britain. A disease that's third world, Asia,

21   Africa, my public information officer said if

22   there's an iconic slide for animal disease,

1   you're showing it today.

2   So, everybody's seen this. Here

3   was a disease that, man, it's not in the Third

4   World, this is Great Britain, there's people

5   that look a whole lot like us here and they

6   talk like us and they got this huge problem in

7   billions and billions of dollars.

8   2001, West Nile virus, I'm going

9   to skip around but I'm going to stick to the

10   same theory that all these things happened

11   here in Wisconsin or had a direct impact.

12   West Nile virus shows up in New York City in

13   1999. 2001, it shows up in Wisconsin. 2003,

14   it's coast to coast and it's endemic and this

15   is a disease that killed some people.

16   Just to prove that the man

17   upstairs got a little bit of a sense of humor,

18   we had the first outbreak in 30 years of

19   Eastern equine encephalitis, the point being

20   it's a mosquito-borne disease and it looks a

21   whole lot like West Nile virus. So, while

22   we're sorting out West Nile, Public Health was

1   concerned about West Nile, Eastern shows up

2   and we lost somewhere around 50 or 60 head of

3   horses there and if you're watching the

4   newspapers at all, you've seen with the

5   mosquito season, particularly in the more

6   eastern states, they're all having their own

7   kind of EEE outbreaks right now.

8   Everybody remembers this slide as

9   well, also in 2001. And you're going to see

10 that some of our years are busier than other

11 years. End of the year, we have the anthrax

12 attacks in the U.S. capital, and suddenly

13 we're throwing around terms like bio-

14 terrorism. And we were talking about bio

15 security and foot and mouth but now we've got

16 bio-terrorism. And what happens if terrorists

17 actually start using some of this to have an

18 economic impact on our livestock industries?

19   2002, we find CWD in Wisconsin,

20 first time it's reported east of the

21 Mississippi River. I won't tell you the word

22 I used when I got the phone call the morning

 1   of the 28th of February in 2002 because it's

 2   mixed company and we're supposed to be polite

 3   when we're standing in front of a group like

 4   this, but I said a bad word. And I think

 5   there's been a lot of bad words said about CWD

 6   in this state ever since then. It had a

 7   significant impact on the deer hunters and the

 8   social aspects of deer hunting in Wisconsin.

 9   It had a huge impact on the deer farmers in

10   Wisconsin, a significant impact on some public

11   health issues where suddenly, you know, CWD

12   and is there a human health factor. And while

13   there's no, you know, no evidence of anything,

14   we still get asked that question a lot and we

15   still reinforce that.

16   2003, because we were concerned

17   about bio-terrorism and there's select agents

18   now and what could be a bio-weapon, I get

19   invited downtown for the Public Health call to

20   discuss something that looks like it could be

21   a smallpox case. And that will get your

22   attention and you get to get in conference

 1   calls with the Center for Disease Control and

 2   the FBI and some other things and it's really

 3   interesting and how you're going to trace

 4   this. And you find out that, well, it's not

 5   smallpox, it's monkeypox. And you know, okay,

 6   people actually have prairie dogs for pets and

 7   that you don't know about that, and then you

 8   find out that not only do they have prairie

 9   dogs for pets, they've got a thing called

10   giant Gambian rats and African tree squirrels

11   and African rope squirrels. And all of those

12   animals move with pretty much no restrictions

13   internationally, and very few interstate

14   restrictions with the exception of Wisconsin

15   and a handful of states that require

16   certificates of veterinary inspection for any

17   animals that cross our state lines. And it's

18   primarily due to these kind of exotic diseases

19   and public health risks that we do that.

20   Newcastle disease, here's a

21   poultry disease in California. There's a

22   reason it says "Where all the federal

 1   veterinarians were" because they were all in

 2   California, and Southwest U.S. dealing with

 3   Newcastle disease while we're trying to chase

 4   down prairie dogs, dormice, giant Gambian rats

 5   with no records and deal with CWD issues.

 6   They're dealing with poultry problems in

 7   backyard flocks, not commercial flocks, linked

 8   to illegal cockfighting activities in the

 9   southwest. And if my information is correct,

10   there's about 2,000 people involved in this

11   eradication effort and it takes about ten

12   months to get it done.

13   It concludes with the comment, we

14   refer to this cow a lot as the cow that stole

15   Christmas when BSE showed up in Washington

16   State. And I can remember my boss, Secretary

17   Nilsestuen used to point out to me that this

18   call came in about 4:00 o'clock on December

19   23rd and at 8:00 o'clock December 24th, a

20   state holiday, he walked by my office and it

21   was filled with boxes of certificates of

22   veterinary inspection from Washington State

 1   that I was sorting through trying to find how

 2   much of a link we might have to that herd in

 3   Washington wading through dusty boxes. Again,

 4   Wisconsin producers and veterinarians step up

 5   and Wisconsin tests just about 20 percent of

 6   all the cattle tested for BSE in the country

 7   and part of the 2004 surveillance program.

 8   2004, we find a disease that

 9   strikes fish. And the interesting story about

10   this spring viremia carp, my brother says, so

11   what's new? And I said, oh, we've got a

12   disease, it's called spring viremia carp, I

13   never heard of it before. He said what's it

14   do? I said it kills carp. He said, well,

15   what's the downside? Downside is the rest of

16   the world uses carp as a major protein source.

17   And so, we and states like Virginia and North

18   Carolina who are also involved in a spring

19   viremia outbreak in some koi farms are dealing

20   with some export restrictions.

21   2004, we see a new scrapie program

22   linked to BSE issues, linked to CWD issues.

1   400-year-old disease, new control program,

2   what's it involve? Better identification.

3   You've got to be able to identify them so you

4   can trace the exposed, new slaughter

5   surveillance program and all that but there's

6   identification of these sheep is key to it.

7   And this time we put the tags in the hands of

8   the producers instead of limiting who could

9   source those tags.

10   2005, not picking on anybody here

11   from Michigan or Minnesota, just a fact of

12   life, TB is found in Minnesota. We call this

13   slide around our office the sandwich slide.

14   We all hope it doesn't turn into a Big Mac

15   with Wisconsin being the third bun in the

16   middle of the sandwich. Kudos to Minnesota,

17   they've done a pretty aggressive job in

18   dealing with TB and it looks to me right now

19   like they managed to keep it out of infected

20   in their wild white-tailed deer herd which is

21   great for everybody in Minnesota and in

22   Wisconsin, too.

 1   Remember that 2000, roughly,

 2   meeting we had with industry about livestock

 3   identification issues and NAIS, USAIP, all of

 4   those things that were there? We were the

 5   first state that had a mandatory premises

 6   registration program. Didn't get thought up

 7   necessarily by the state. We had issues about

 8   foot and mouth, bio-terrorism. Our ability to

 9   trace animals and locate animals are still one

10   of the three mandatory programs in the U.S.

11   Back in 2003 or early 2004, when the

12   legislature was considering this bill, I

13   commented to the legislature that this whole

14   system was going to be a national program. We

15   ought to be in the locomotive driving the

16   train, not riding in the caboose. We're still

17   in the locomotive, we're trying to figure out

18   where the heck the rest of the train is here.

19   But we're doing it.

20   2006, avian influenza, bird flu

21   hits. And suddenly, again we're worried about

22   poultry and maybe we look a little smarter

1   than we thought we were in premises because we

2   included poultry as species that would need to

3   be registered and we didn't limit flock size.

4   There's a reason for that. So, it looks good,

5   but we now have poultry concerns. Remember

6   Newcastle disease in California? We're

7   looking for avian influenza, H5N1, the next

8   pandemic that Public Health is concerned

9   about.

10   In the course of looking for avian

11   influenza, we find Newcastle disease in

12   cormorants, a different strain than that

13   infected the flocks in California. The reason

14   the slide is here is that we started

15   registration early in 2006, and by late

16   summer, about this time, we're using it for

17   the first time. We found out by looking at

18   this, for those of you not familiar with

19   Wisconsin, Senator Feingold used to do

20   something like this when he was representing

21   Wisconsin, this being the thumb, this is right

22   up here on the tip of the thumb is Washington

 1   Island, Madison is way down here for you out-

 2   of-staters. Closest poultry, commercial

 3   poultry flock to that was about 125 miles

 4   southwest of there. But more importantly, we

 5   used the premise of registration material we

 6   have to kind of do a reverse 911 dial system

 7   where we sent direct mails to the registered

 8   poultry premises about this outbreak, more

 9   information on avian influenza, and who to

10   contact.

11   2006, we had a foreign animal

12   disease in horses in Wisconsin. It was

13   limited to one stable, probably due to an

14   error on an import test. And I'll talk about

15   CEM a little bit later as well, but it was

16   limited at that time to one stable.

17   Another fish disease strikes in

18   the middle of 2006. The message on this slide

19   is that it's the first time USDA did a stop

20   movement order. And in the Great Lakes

21   states, they said there is no fish movement in

22   these eight states around the Great Lakes.

1   It's probably an important lesson that we

2   needed to do that because we had talked a lot

3   about foreign animal disease outbreaks

4   widespread and just stopping movement. This

5   gave us just a small glimpse of what the

6   impacts of that were going to be.

7   We had fishers screaming and

8   hollering because they couldn't get bait. You

9   had catfish farmers in the southern tip of

10   Illinois, a long ways from the Great Lakes,

11   who couldn't get slaughter weight catfish to

12   a slaughter plant across the border in

13   Kentucky, Missouri, someplace down there

14   anyways. So, we had looked at how do we deal

15   with this disease, and once again they came to

16   Wisconsin because fish farmers in Wisconsin

17   were concerned about VHS in the far eastern

18   Great Lakes and we had rules in place that

19   were used basically as the framework and

20   probably represent 90 percent of the USDA VHS

21   rules right now.

22   2007, remember I got hired in 1985

 1   to eradicate pseudorabies in Wisconsin? I did

 2   mention that. At the time, I got our

 3   eradication area testing tools, there was a

 4   cat food can and a plat book. The cat food

 5   can didn't belong to me, I didn't have a

 6   drawing compass, it belonged to my livestock

 7   inspector because she's the cat person in the

 8   division. She said, we need to do about a

 9   two-mile area test around that infected farm.

10   So, get a plat book, figure out who we've got

11   to contact and we'll go to work. And she

12   shows up and got a nice circle on it, oh, you

13   had a compass at home, she says no, I had a

14   cat food can, it looked like it covered about

15   two miles. So, that's what I used. So, that

16   was our tool in 1985.

17   With premises registration and

18   some modern equipment and stuff, we did

19   progress by 2007. We used premises data at

20   the time and we were able to generate these

21   maps using GIS, have some idea of the amount

22   of testing we were going to have to do on the

 1   program to prove we had found all the

 2   pseudorabies. It was feral pigs, hadn't

 3   spread, and we could maintain our

 4   pseudorabies-free status because, remember, in

 5   2007, the country was, the country not just

 6   Wisconsin, was free of pseudorabies.

 7   2008, the reason that this map is

 8   up here is just we had it for something else

 9   but it, the representation of the herds with

10   tuberculosis between 1997, when we had our

11   last infected elk herd, and 2008 across the

12   country. And I'll show you a little bit of an

13   updated model in a slide or two.

14   2008, we also had contagious

15   equine metritis back. This was a little

16   different. It wasn't in a single stable.

17   That was a strong link to Wisconsin. This

18   outbreak started in December 2008 and it's

19   just getting wrapped up now, the middle of

20   2010. About 1,000 exposed horses, 48 states

21   had exposed horses in them. Rhode Island

22   didn't have any and Hawaii didn't have any.

1   So, some of the exposed horses

2   were untraceable. Now, I can pretty much tell

3   you I've owned probably 25 dogs in my life and

4   I can tell you where every one of those dogs

5   ended up. We had a lot of horse owners that

6   couldn't tell you where that one horse ended

7   up, had no idea or no recollection what

8   happened to that horse that was collected at

9   that reproductive facility. So, anybody

10   recognize this horse? That's good, because I

11   wanted to point out that it's not here because

12   it has CEM, it's here because this happens to

13   be about the prettiest horse I've ever seen in

14   my life.

15   Remember H5N1 as a pandemic? We

16   were all looking for it, bird flu? I'm not

17   going to tell you what the media did to H1N1,

18   we're just going to leave that off the table.

19   We got our pandemic last year. It went

20   worldwide and it went fast.

21   The good news was it did not have

22   an animal component, at least a very strong

 1   one. Most of the disease looked like it went

 2   from people to animals instead of the other

 3   way around. And it was a pretty mild form.

 4   If you're going to have a pandemic, you want

 5   to have one like this. Again, it was a

 6   disease and a zoonotic disease.

 7   Piroplasmosis, another disease

 8   eradicated from the U.S. It showed up in

 9   Texas. 21 states involved in that traced back

10   right now, traced out from that herd. 2009,

11   some of you may remember we were testing a

12   couple of large dairy herds in Wisconsin as

13   part of a trace out from Texas that involved

14   22 states, 75 to 80 herds. We just got a

15   couple of secondary traces recently, so we're

16   probably up to 80, 80 plus herds nationally

17   linked to that, probably 150,000 head of

18   cattle that were tested.

19   What I want to mention is that in

20   one of the herds in Wisconsin, 3,200 cow herd,

21   producer was using RFID and there's been a lot

22   of discussion about it. I want to make clear

1   there is no part of traceability that says

2   RFID is mandatory. It's a tool. It's a tool

3   we used in this herd coupled with electronic

4   forms, electronic readers where we estimate,

5   because we had just done a 4,000 head herd, we

6   estimate that we saved the state and the USDA

7   just in salary and travel costs by using RFID

8   and speeding up the process about $60,000.

9   And that's not saying anything about what we

10   saved that producer by getting in and out of

11   there in a day. It took all our field staff

12   and some office people to do it but if we'd

13   have been in there two or three days straight,

14   he'd have had a huge production impact and

15   there is no compensation for that.

16   Here is the updated map I promised

17   you. It's still becoming a big deal. These

18   are new herds since October of '08. The bad

19   news is we're hitting about a herd a month of

20   new infected across the country.

21   So why is this -- John, this is

22   what happens when you send some of your slides

1   and then you reorder them later, you get all

2   screwed up. So, anyway, so what's going on

3   now? You've seen the last series of disease

4   slides I put up there. Is it because Bob

5   Ehlenfeldt, state veterinarian, and he's

6   either really unlucky because he finds a lot

7   of disease or he's incredibly lucky because he

8   manages to somehow get it corralled and

9   controlled? Not him, his staff that do the

10 real work. I get to stand in front of the

11 room and take credit for it but it's the staff

12 that do it.

13   So, what's going on? Travel,

14 we've got open border, more trade, we've got

15 NAFTA, you can buy anything you want.

16 Remember those prairie dogs? You can buy

17 cobras on the internet. You can go on the

18 internet and buy yourself a venomous snake if

19 you want to do that. No controls on it.

20 We've got encroachment on wildlife, the feral

21 pigs, the white tail deer in Minnesota and

22 Michigan. Maybe we've got some climate change

 1   going on, we've got a whole lot of apathy

 2   because we don't have any disease out there,

 3   how can we have any disease?

 4   The other thing we've got going on

 5   is, to show you the movement, Wisconsin does

 6   business with all these states. We did not,

 7   for seven months this year, for seven months

 8   we didn't do any business in livestock with

 9   Alaska, Hawaii, Delaware, Connecticut -- where

10   is Tom McKenna? Massachusetts and

11   Connecticut, I'm sorry.

12   All right. 21st century animal

13   health issues, here is the summary slide if

14   you want to see a decade of animal health.

15   What I'm going to say about this is how many

16   people remember the Mickey Mouse Show? Come

17   on, come on, you're there. You've got gray

18   hair. Remember how that show started?

19   Dedicated to you, the audience, the leaders of

20   the 21st century. We're a decade into the

21   21st century. We need to be leaders, guys.

22   All right. I've got, usually at

1   this point in time I go to questions. We're

2   not going to do that, there will be time for

3   questions later on. But I'm going to do the

4   reverse and I've got a question for those of

5   you who don't think we need better

6   traceability. What part of these two facts

7   don't you understand? Economic impact in

8   Wisconsin from livestock, I'm not talking

9   about farms, guys, I'm talking about

10   everything around it, $35 billion. That's a

11   Rod Nelson stealing quote.

12   75 percent of all the new diseases

13   that are out there are zoonotic. Well, what

14   part of that don't you understand? And are we

15   going to be ready for this when it strikes?

16   A slide I was looking for that I

17   didn't get in here in time, when I sent it to

18   Neal or I skipped over it, was a slide that

19   involved the current trace of animals from

20   Ohio to Wisconsin. I'm just going to tell you

21   about it and not show it. I'm not going to

22   show it to you. 233 head came out of an

 1   infected herd in Ohio to Wisconsin about April

 2   of this year. When we found this 233 head in

 3   doing the traces, 170 of those 233 originated

 4   from 17 other states besides Ohio and had ear

 5   tags in them. Some of them had two or three

 6   different state ear tags in them, had more

 7   piercings than my daughter.

 8   Now look what happened, is the

 9   Ohio veterinarian took a shortcut, didn't want

10   to read those little tags, so we'll just stick

11   a new Ohio tag into them and we'll send them

12   on to CVI and so they moved to Wisconsin. The

13   really interesting part is after they were

14   here, at least one group of them moved from a

15   dealer in Wisconsin to a farm in Minnesota.

16   Not to be outdone by the veterinarian in Ohio,

17   the Wisconsin veterinarian put a Wisconsin tag

18   in their ears along with every other tag that

19   was already there.

20   So, that's it. Dr. Clifford, I

21   believe it's your turn.

22   (Applause.)

 1   DR. CLIFFORD: Thanks, Bob. I

 2   think I'll have to borrow those slides

 3   sometime from you, Bob. That's a good

 4   overview of the type of disease issues that

 5   we're faced with on an annual basis in the

 6   U.S.

 7   Dr. Marsh and I are going to share

 8   our current thinking on the proposed rule

 9   that's being prepared to strengthen our animal

10   disease control and response capabilities.

11   The overall goal of this framework is to have

12   an adaptable approach that will help us find

13   disease, quickly address it, and minimize harm

14   to producers.

15   I realize that many of you are

16   already familiar with the principles of animal

17   disease traceability framework, but I want to

18   review some of those key points with you.

19   The approach outlined by the

20   Secretary responds to concerns that USDA heard

21   about its past efforts and paves a way forward

22   that supports and respects the work of

1   America's farmers and ranchers.

2   Through the new framework, APHIS

3   will implement a flexible yet coordinated

4   approach to animal disease traceability that

5   embraces the strengths and expertise of

6   states, tribes and producers, and empowers

7   them to find and use the traceability

8   approaches that work beset for them.

9   Additionally, and key to the

10   acceptance of this approach, producer's

11   traceability data will be owned and maintained

12   at the discretion of the states and tribes.

13   The framework applies only to

14   certain animals moving interstate. And, in

15   general, we are looking at establishing

16   requirements for the interstate movement of

17   farm-raised livestock and poultry with some

18   exceptions.

19   Our priority is cattle due to the

20   significant void in traceability in that

21   sector.

22   We have had successful

1   traceability through the identification

2   methods used in disease eradication programs.

3   Feedback from the industry last year indicated

4   greater preference and support for using

5   solutions from previous and current disease

6   control programs. So, we are reestablishing

7   the use of those basic methods that have

8   proven to be successful and are widely

9   accepted by producers in the US.

10   Again, the cattle industry is our

11   priority. To ensure we have the greatest

12   producer acceptance, we are building on basic

13   animal identification methods. The nine-

14   character alphanumeric silver tag, commonly

15   known as brite or silver tag, provides this

16   solution. Bottom line, we need to get more

17   cattle officially identified as timely and as

18   cost-effectively as possible. We need

19   official tags in ears, and we need to record

20   tag distributions so they are traceable.

21   Yes, this is a very basic

22   approach. Some have advocated implementing a

1   greater level of traceability or even full

2   traceability, and we also understand the

3   desire for that approach.

4   The flexibility of the new

5   approach will allow for the use of all types

6   of technology.

7   Our basic approach will enable us

8   to achieve higher levels of official ID. That

9   is our immediate objective. From here we will

10   make further progress over time. The industry

11   must support whatever technology is used in

12   the future and the industry needs to be the

13   "driver" so that technological advancements

14   work first and foremost for producers.

15   I know for example in states like

16   Wisconsin and Michigan and other states have

17   made good progress in regard to traceability,

18   and we want to recognize the efforts that

19   those states, tribes and industry have made

20   and applaud those accomplishments.

21   We recognize and acknowledge that

22   states, tribes and industry groups and

1   American producers have invested heavily in

2   the former NAIS system and worked hard to make

3   it succeed. As we transition to this new

4   framework, we will seek ways to capitalize on

5   the progress of NAIS and determine what pieces

6   can be used to leverage our investment to

7   support the new approach.

8   USDA will also maintain all

9   current systems and provide them to states and

10   tribes that wish to use them as they implement

11   and administer their traceability plans.

12   Establishing, publishing and using

13   standards are critical to the long-term

14   success of our tracing capabilities. In

15   addition to setting standards for data

16   elements to ensure compatibility of

17   information systems, we are more clearly

18   defining official identification and the

19   Interstate Certificate of Veterinary

20   Inspection.

21   USDA is committed to the

22   advancement of this framework through

 1   collaboration with states, tribes and the

 2   entire industry. In addition to ongoing

 3   dialogue, USDA is establishing a Secretary's

 4   Advisory Committee on Animal Health with

 5   representatives from a broad range of

 6   commodity organizations and underserved

 7   communities to help USDA in evaluating and

 8   offering input on the traceability efforts.

 9   Finally, and possibly most

10   importantly, USDA is committed to help fund

11   the implementation of the traceability

12   framework.

13   I also want to briefly inform you

14   of the relationship of this traceability

15   framework with our Veterinary Services 2015

16   initiative, which represents our long-term

17   strategic vision. Through the VS 2015

18   initiative, we are adapting the mission and

19   role of VS to meet the animal health

20   challenges of the 21st century. We are also

21   adapting our programs such as animal disease

22   traceability, in line with that mission and

1   role.

2   Several forces are driving this

3   need for change, such as changes in the animal

4   agriculture industry, technology, emerging

5   diseases as well as threats beyond disease,

6   food safety concerns, the expansion of

7   international trade, and tightening budgets.

8   The expertise and core

9   capabilities of VS position this organization

10   not only to meet animal health challenges

11   arising from these forces but also to increase

12   presence and recognition as the national

13   veterinary authority of the United States.

14   Strong partnerships are part of

15   the VS 2015 initiative and the new approach

16   for animal disease traceability. For this

17   initiative, VS will continue its partnership

18   with state and tribal animal health officials,

19   agricultural producers, and veterinary

20   organizations will continue to strengthen its

21   relationship with the emergency management

22   community at the state and national levels.

1   Many of the principles of the new

2   traceability framework will be codified

3   through rulemaking with a new section in the

4   Code of Federal Regulations containing the

5   requirements for the interstate movement of

6   livestock.

7   The traceability regulation will

8   be outcome-based. The outcomes are being

9   developed and defined as traceability

10   performance standards. The performance

11   standards will align well with and support the

12   outcome-based objective. Developing these

13   standards is one of the primary tasks and

14   objectives of the state, tribal and federal

15   traceabiltiy regulation working group.

16   Before we review and discuss the

17   traceability performance standards, I will

18   further clarify what requirements may be in

19   the regulation based on our current thinking.

20   This understanding should help everyone become

21   more comfortable with the concepts of the

22   traceability performance standards as these

1   requirements will directly enhance tracing

2   capabilities. Granted, enforcing the

3   regulations will be critical, and I will

4   address this issue in my remarks today.

5   The traceability regulation will

6   apply only to certain animals moving

7   interstate. We acknowledge that some animals

8   and interstate movements warrant exemption

9   from the official identification and from an

10   Interstate Certificate of Veterinary

11   Inspection. Dr. Marsh will tell us later what

12   the regulation working group has considered

13   regarding these exemptions.

14   We will maintain our

15   identification regulations for disease

16   programs and, as appropriate, consolidate them

17   into the new traceability section. Any

18   identification regulations for disease

19   programs will supersede the new regulations.

20   Additionally, we will maintain

21   import regulations related to identification

22   and traceability. And that is, all animals

1   imported will continue to officially be

2   identified with animal's identification

3   properly documented on import certificates.

4   APHIS has taken, and continues to

5   deliberate in transparent steps to establish

6   the framework for implementation. We remain

7   committed to public engagement to obtain input

8   on developing the animal disease traceability

9   regulations.

10   The Traceability Regulation

11   Working Group has been working collectively on

12   the content of the proposed rule since March.

13   To keep the industry advised of

14   the working group's efforts and to obtain

15   feedback during its deliberations, we

16   conducted public meetings to review the

17   concepts of the new framework and to share

18   current thinking on the proposed rule,

19   including the traceability performance

20   standards.

21   We have also held conference calls

22   with industry sectors (cattle, swine, poultry,

 1   and sheep and goats) to update them on the

 2   progress of the traceability framework,

 3   including the development of the proposed

 4   rule, and to hear their concerns to ensure we

 5   collectively move the traceability plan

 6   forward.

 7   The working group reviewed and

 8   considered this feedback as it developed the

 9   recommendations to the content of the proposed

10   rule. Likewise, many of the working group

11   members have attended each public meeting.

12   On June 17th, APHIS published a

13   notice in the Federal Register announcing the

14   Secretary's intent to establish the

15   Secretary's Advisory Committee on Animal

16   Health. This committee will review multiple

17   animal health issues including animal disease

18   traceability. Nominations for the Secretary's

19   Advisory Committee on Animal Health were due

20   by August 2nd. APHIS has received more than

21   100 nominations as well as numerous inquiries

22   from interested parties.

1   The advisory committee will

2   appoint a Subcommittee on Traceability to

3   review the traceability activities and details

4   of the framework more fully. Industry, along

5   with the state animal health officials and

6   tribal representatives, will be members of the

7   subcommittee. And they will give their

8   feedback to the advisory committee.

9   Regarding future activities and

10   timelines, the working group will conclude its

11   report on the content of the proposed rule

12   soon after we complete this final round of

13   public meetings. These meetings include this

14   meeting here today as well as August 20th in

15   Atlanta, Georgia and August 24th in Pasco,

16   Washington.

17   Additionally, the Joint Strategy

18   Forum on Animal Disease Traceability hosted by

19   the National Institute for Animal Agriculture

20   and the United States Animal Health

21   Association is another excellent venue to

22   share and discuss the intended content of the

1   traceability regulation. And we look forward

2   to participating in this meeting.

3   We will also hold tribal

4   consultations over the next few months to

5   ensure tribes have clear understanding of the

6   regulation being considered and that we have

7   their feedback.

8   After these meetings, we will

9   finalize recommendations on the content of the

10   proposed rule. Then the regulatory staff will

11   formally prepare the regulation.

12   We are planning to publish the

13   proposed rule in early 2011, possibly in April

14   of next year. There would be a 60 to 90-day

15   comment period, will follow the publication of

16   the proposed rule to offer another opportunity

17   to obtain input on the publication of the

18   traceability regulation.

19   Before I turn this presentation

20   over to Brett, I want to reiterate developing

21   the regulations has evolved through public

22   dialogue and that remains our objective for

1   the public meetings this month.

2   The report today offers an update

3   on the efforts of the working group. It's a

4   summary of our current thinking on the content

5   of the regulation. And we need your input

6   today as the working group and USDA conclude

7   their preliminary efforts on developing the

8   proposed rule on animal disease traceability.

9   The list of working group members

10   was distributed in the materials for this

11   meeting. And I want to applaud the working

12   group's accomplishment. The group has devoted

13   significant time to developing the preliminary

14   content of the proposed rule in addressing

15   many challenges. Their efforts have been well

16   received, and we thank the entire working

17   group for its commitment to this effort.

18   Following the report from the

19   working group, I will offer additional remarks

20   that address other key factors that will

21   ensure that the new framework is indeed one

22   that has tangible outcomes to advance animal

1   disease traceability.

2   So, with that, Dr. Marsh, will you

3   please?

4   DR. MARSH: Okay. Well, good

5   morning to you all. It's good to get a chance

6   to visit with each of you. And Dr. Clifford,

7   always a pleasure to get a chance to see you

8   and have breakfast with Dr. Ehlenfeldt. Thank

9   you.

10   I had an opportunity, as I drove

11   in from Indianapolis last night, to drive down

12   Washington Avenue and take a look at your

13   state capital which I think is one of the more

14   beautiful sights in the country, drove around

15   the lake and took it in. And fortunately for

16   me and for many others in your city here, I

17   had my windows down because it's the first

18   cool day we had experienced in a long time.

19   Maybe the same for you.

20   I appreciate the fact that you've

21   come out to spend your time and you've made it

22   a priority to be here today. And when I think

1   of priorities, I'm reminded of the school that

2   served lunch on a long table. And at this

3   particular school, this long table is set out

4   and at one end of the table is a big bowl of

5   bright red apples. And at this particular

6   school a nun had written a note and placed it

7   by that bowl of bright red apples, and she

8   said, "Take only one. Remember, God is

9   watching." And at the other end of the table

10   was a platter of freshly baked chocolate chip

11   cookies. And a student wrote a note and the

12   note read, "Take all you want, God is watching

13   the apples."

14   So, we appreciate your priority to

15   be here today. Sometimes it's apples and

16   sometimes it's cookies. But today, I'm

17   honored to give the report from the working

18   group, and indeed you have a list of those

19   folks.

20   Speaking of paperwork, I want to

21   mention to you that everything I'm going to

22   tell you is in your handout. So, you'll go

1   home today with what I'm going to talk about.

2   The two in particular is one that says Draft

3   at the top, Official Eartags, Criteria and

4   Options. So, I will refer to this a time or

5   two, so you can find it in that set. The

6   other handout is Animal Disease Traceability

7   Framework: Overview and Current Thinking. I

8   know, again, there's a lot of paper in there,

9   but if you have those two out, I'll make

10   reference to those during the course of this

11   talk. So, again, you'll have that when you go

12   home.

13   All right. So, again I appreciate

14   the opportunity to be here and pleased to give

15   this report. Our primary objective of the

16   working group was to give input on developing

17   the proposed rule by focusing on key elements

18   including the traceability performance

19   standards, the methods for evaluating that

20   tracking capability or tracing capability, and

21   the consequences for noncompliance. And we'll

22   talk about this a great deal more as we go

1   through.

2   Additionally, we are offering

3   specifics on the basic regulatory requirements

4   for animals moving interstate, particularly

5   which animals must be officially identified

6   and what defines official identification for

7   each species. Equally important are the

8   parameters associated with the Interstate

9   Certificate of Veterinary Inspection. The

10   value of these certificates that they bring to

11   traceability is equal to the value of the

12   official identification. And while outside

13   the scope of the working group, establishing

14   a uniform or a more uniform Interstate

15   Certificate of Veterinary Inspection and

16   making those ICVIs available electronically,

17   well, they have never been more important to

18   our animal disease traceability efforts. So,

19   again, you'll have those documents as we move

20   forward.

21   As we have indicated, and Dr.

22   Clifford has already stated with some

1   exceptions, basically all livestock moving

2   interstate must be officially identified and

3   accompanied by an ICVI. And after

4   acknowledging this general premise, the

5   working group focused on each species while

6   formulating recommendations on the exemptions

7   for official identification and the ICVI

8   regulation as well as other species-specific

9   issues. And as I walk through the potential

10   content of this regulation, I will focus

11   primarily on cattle, as has been mentioned

12   before, as our greatest priority. And for the

13   most part, the new regulations will have the

14   most impact on this cattle sector. While

15   other species have been discussed and are

16   referenced in our working document, we feel

17   existing regulations or proposed rules under

18   development will, and for the immediate

19   future, adequately support the needs for

20   animal disease traceability in other species.

21   So, if you'll refer to that

22   Official Eartags document, Criteria and

1   Options, the official identification for

2   cattle would be an official eartag, except

3   when a group lot identification is applicable.

4   Other forms including breed registry tattoos

5   and backtags which have previously been

6   referred to in the CFR may in time be

7   discontinued for animals moving interstate.

8   An official eartag would be described as an

9   identification tag approved by APHIS with a

10   nationally unique official animal number

11   imprinted on the tag. Official numbering

12   systems will include the National Uniform

13   Eartagging System which has commonly been used

14   with our official cattle vaccination tags and

15   what we refer to as "brite tags" which has

16   been around for many, many years. Another

17   would be the animal identification number

18   which has 15 digits starting with the 840

19   number, the numeric code for the United

20   States. Both visual and RFID tags use the 840

21   number. And then, also, premises and flock-

22   based numbering systems are most commonly used

1   in the scrapie eradication program.

2   For ease of reference and to

3   follow my next remarks, again, take a look now

4   to the Overview and Current Thinking document,

5   the other one that we have there. On page two

6   of that document, you'll notice about a third

7   of the way down on that, it talks about the

8   preliminary time line for the regulation that

9   shows April of 2011 as the publication for the

10   proposed rule. So, that's in your document

11   there. The final rule could be published

12   approximately 12 to 15 months after that

13   proposed rule. So, that gives you a kind of

14   a time line of what's going on. I think

15   that's been mentioned earlier, but again it's

16   in your handouts to take home with you.

17   We described in this the

18   transition to the regulatory actions in two

19   steps, all for cattle. Step 1, initially

20   delays the inclusion of feeder cattle. It

21   also includes an educational period of several

22   months after the publication of the final

1   rule, and during this time producers will be

2   informed of the regulatory requirements.

3   Also, regarding the backtags, as noted in the

4   description of official identification, which

5   is the other handout we had looked at,

6   backtags would no longer be recognized as

7   official identification. The working group

8   recognizes the use of backtags will continue

9   to be an essential practice for some time in

10   our marketing channels. In Step 1, backtags

11   could be used in lieu of official

12   identification for animals moving direct to

13   slaughter including animals moved through one

14   approved livestock market or one approved

15   livestock facility which would be typically a

16   market.

17   Step 2 initiates the transition

18   where all ages and classes of cattle would be

19   included. Exemptions would be focused on the

20   types of interstate movement versus the types

21   of cattle. Currently, we suggest Step 2 begin

22   one year after the final rule is published.

1   Additionally, the direct to slaughter animals

2   would require official identification and at

3   that time the backtags would not fulfill the

4   official identification requirement. Again,

5   we recognize their use for managing sales will

6   continue, so we recognize those backtags are

7   going to continue to be used. And I'll go

8   into this in a little more detail. This is

9   just your preliminary slide to kind of get

10   things started here.

11   So, let's get a little more

12   specific on Step 1. Step 1 on official

13   identification requirements, if you'll turn to

14   page 4 of the Overview and Current Thinking

15   document, if you turn to page 4 you should

16   have at the head of that page Implementation

17   of Traceability Requirements-Cattle. Okay?

18   Now, what we just described for Step 1, if you

19   look under in the box under Official

20   Identification, left column, Step 1. The

21   middle column describes Step 2. So, let's

22   talk just a little bit about what's in each of

1 these.

2 So, in Step 1, as you can see from

3 your handout in the left column for Official

4 Identification, "Unless exempt as provided

5 below, official identification is required

6 for: all dairy cattle; other sexually intact

7 cattle more than 18 months of age; cattle used

8 for rodeos or recreational events; and cattle

9 moved to shows or exhibitions." So, again you

10 have that right off your handout so you can

11 see what's in Step 1 off your Current Thinking

12 document.

13 Now, if you follow right down that

14 same column for Step 1, there are some

15 exemptions. The exemptions for Step 1

16 indicate that you'll have steers or spayed

17 heifers, except if they're involved in rodeo,

18 recreation, shows, or exhibition. Cattle that

19 are moved directly to slaughter, including

20 through one approved livestock market, for

21 example, at an auction market, with an

22 approved backtag. So, we have that today as

 1   an exception.

 2   The third one there is cattle

 3   moved to a custom slaughter facility, so if

 4   you happen to raise farm-raised beef in

 5   Wisconsin and choose to take it in to Illinois

 6   to a custom facility, then that would be an

 7   exemption for the ID requirement. Cattle

 8   moved under commuter herd agreements, I don't

 9   know that we use those too much in the Midwest

10   but the western part of the United States uses

11   those pretty frequently to move cattle from

12   state to state. So, that would be an

13   exemption and we'll talk about commuter herds

14   just a little bit more as well. Cattle may be

15   moved interstate between any two states or

16   tribes with other identifications other than

17   what is described as long as it's agreed by

18   those two states and the animal health

19   officials in each of those. So, you can see

20   that there are a number of exceptions in Step

21   1 for those official identification

22   requirements.

1   Now, if you look at the bottom of

2   that Step 1 column, there's a bar that runs

3   left to the right there, Other Circumstances,

4   so other situations that may come up. Cattle

5   may be moved interstate without official

6   identification during transit if they are

7   destined to an approved tagging site. Now,

8   again, most of our situations at tagging sites

9   is going to be a market. But there may be

10   some parts of the country where they'll use a

11   tagging site that's something other than an

12   auction market. So, they could move to that

13   site for official identification.

14   The other would be cattle moved

15   directly from one state through another state

16   and back to the original state. So, that's

17   really treated as an intrastate movement, so

18   they really didn't leave the state after all.

19   So, you can see again under Step 1, those are

20   what would be required to be IDed, the

21   exemptions under that particular Step 1 and

22   some of the other circumstances that you would

1   run into.

2   Now, if we move to the next one,

3   you can see where things begin to shift just

4   a little bit. So, now let's move to this

5   middle column which is Step 2. The middle

6   column, Step 2, you can see that the first two

7   Official Identification exemptions that we

8   have under Step 1 expire with Step 2. So, in

9   other words, the one that would be for steers

10   and spayed heifers under 18 months of age

11   which we commonly refer to as feeder cattle

12   had then the use of an official backtag as

13   official identification. Although it's likely

14   going to continue to be used in the marketing

15   structure, the use of that backtag as an

16   official ID would be weighed out in Step 2.

17   Now, as you look down through the rest of

18   those, the rest are all there. So, as you

19   take a look down the middle column under Step

20   2, we're basically saying that all cattle are

21   to be identified and the exceptions to those

22   identification requirements are in the middle

1   column just as they're listed on this slide.

2   We've also considered other issues

3   pertaining to official ID. And while we

4   support flexibility, we feel strongly that

5   official identification must be standardized

6   to achieve uniformity and to avoid confusion.

7   For example, we need to have an easy

8   consistent means of determining if an animal's

9   eartag is official; thus, knowing that the tag

10   meets the identification requirements for

11   interstate movement. This is critical as we

12   would expect accredited veterinarians to

13   verify this. The use of official numbering

14   systems on the tag is proposed along with the

15   use of the US Shield on all official

16   identification eartags. A process for using

17   the US Shield on tags purchased directly by

18   states will need to be considered.

19   Additionally, the state could use its postal

20   abbreviation in lieu of the VS, for veterinary

21   services, letters on the brite tags they

22   obtain directly from manufacturers.

1   The other thing that I think is

2   important on this slide as we talked about

3   making sure we have uniform identification,

4   that it's a basic numbering system that we can

5   all recognize, is the second bullet on the

6   slide. The second bullet on the slide

7   indicates that there is an option for

8   producers to obtain these brite tags and apply

9   them themselves. This is utilized in the

10   scrapie program, for example, in sheep and

11   goats, and so this is an option that states

12   can entertain as this program moves forward.

13   To this point, those brite tags have been in

14   the hands of accredited veterinarians. But in

15   order for this product, the cattle, to

16   continue to move in interstate commerce, the

17   proposal is for those brite tags to be

18   available to producers to apply themselves.

19   So, that's a rather significant

20   departure. And incidentally, I appreciated

21   Dr. Ehlenfeldt's trip through history. I

22   started in 1984 and a number of these issues

 1   on traceability, and I'll tell you, just that

 2   one bullet, the notion that we would put brite

 3   tags in producers' hands when I started would

 4   have been absolutely foreign to thought, the

 5   idea that we would actually give producers

 6   identification which is run successfully in

 7   other programs and is being proposed for the

 8   states to consider in this one.

 9   ICVI, again page 4, same document,

10   right column. It's all here so you don't need

11   to even turn the page here. So, we're talking

12   about ICVIs now.

13   On the effective date of the

14   regulation, all cattle moving interstate

15   unless otherwise exempted will require an

16   ICVI. While the phase-in period would not

17   apply to the ICVI requirements, we do

18   recommend exemptions to recording the official

19   identification number on the ICVI, which of

20   course is significant. During the period when

21   a class of cattle is exempt from official ID,

22   again Step 1, feeder cattle for example, the

 1   animals would be referenced on the ICVI as

 2   they are currently indicated. So, the way we

 3   do it today would just continue during that

 4   exemption period.

 5   Additionally, we suggest that the

 6   recording of official identification for

 7   "feeder" cattle always be exempt. Defining

 8   this class of cattle is challenging but I

 9   think we all know what we're talking about.

10   The notion is that as we move to the point

11   where feeder cattle would have official

12   identification, you wouldn't have to

13   necessarily list all those IDs on the

14   certificate as long as they are indeed

15   officially identified. So, that's

16   contemplated under the proposal as well.

17   Exemptions from the ICVI

18   requirement, and again they're right in the

19   middle part of that right column, would

20   pertain to cattle moved directly to slaughter

21   or directly to a livestock facility approved

22   for handling for slaughter-only animals and

 1   then directly to slaughter where an owner-

 2   shipper bill of lading or branding selection

 3   statement is required. So, they'll have some

 4   paperwork but they won't need an ICVI if

 5   they're going direct to slaughter.

 6   Additional exemptions include

 7   cattle moved directly to an approved livestock

 8   facility with an owner-shipper statement and

 9   if these cattle do not move interstate from

10   the facility unless they're accompanied by an

11   ICVI. Okay, bottom line is if you bring

12   cattle from Illinois to a Wisconsin market and

13   those cattle don't move out of Wisconsin, they

14   don't need an ICVI. If they move interstate

15   from that market, then they'll need an ICVI.

16   Fundamentally, it's no different than the way

17   we do it today. If they're interstate

18   movements, they need an ICVI to move them.

19   So, it's not any different than the way we're

20   operating today.

21   Cattle moved from the farm of

22   origin for veterinary medical examination or

 1   treatment and returned to the farm of origin

 2   without change of ownership, same deal. If

 3   I'm in Illinois and I bring them to a

 4   Wisconsin veterinary clinic and I return them

 5   back to my site back in Illinois, I don't need

 6   an ICVI to move them interstate.

 7   Cattle moved as a commuter herd

 8   would not need an ICVI but a copy of the

 9   commuter herd agreement must be with the

10   cattle during transit. So, again for those

11   that utilize that.

12   Additionally, cattle may be moved

13   between any two states or tribes with

14   documentation other than an ICVI as long as

15   the state animal health officials in those two

16   states agree.

17   So, we tried to contemplate some

18   of the things that might come up out there,

19   recognizing that when you're taking a look at

20   it from a national perspective there are lots

21   of variations that we might not contemplate

22   here in the Midwest but might be issues in

1   other parts of the country.

2   The concept of traceability

3   performance standards supports an alliance

4   with the basic principle of an outcome-based

5   regulation. Performance standards describe a

6   desired result or outcome but not the methods

7   for achieving that result or outcome. They

8   provide a process to evaluate tracing

9   capabilities uniformly across the state and

10   tribes. The measures we focused on for

11   tracing animals and not tracking a particular

12   disease, I think that's fundamentally

13   different about this, we talked about the TB

14   program, the brucellosis program, the

15   pseudorabies program, this is just

16   traceability for whatever comes up because the

17   reality is, as Dr. Ehlenfeldt's report

18   indicated, we can't begin to anticipate

19   necessarily what the next one might be. So,

20   we're looking for any of those eventualities.

21   So, as you take a look at those

22   performance standards, the first principle in

 1   establishing any performance standard is

 2   determining what is being measured. For

 3   animal disease traceability, we consider the

 4   typical activities taken during a disease

 5   trace-back event. In addition to the

 6   activity, a factor or a percent of the

 7   successful completion of the activity and the

 8   time for completing the activity is

 9   established as a standard. For example,

10   tracing animals to a state or tribe in which

11   they were identified 95 percent of the time

12   within seven days.

13   So, in other words, here is the

14   bottom line in the way I look at this thing,

15   and you can take a look at this if you flip

16   over, actually go back to page 2 and you can

17   see this traceability chart which will come up

18   on the slide. Some of you have already seen

19   this chart before but it will be helpful to

20   you to kind of see what's going on with these

21   charts.

22   The concept of a traceability unit

 1   is an important one as we move forward and was

 2   established in the framework announcement to

 3   give the states and tribes flexibility and

 4   enable them to trace to the degree or level

 5   they determine appropriate. And you'll see in

 6   that chart that you have in front of you there

 7   the reference to a traceability unit. It

 8   refers to a geographic location a state or a

 9   tribe determines will facilitate animal

10   disease responses as supported by the local

11   industries. The size of the traceability unit

12   may vary. It may be the state or tribal

13   nation. It may be a region within the state,

14   a county, a livestock market, a site within an

15   operation. It's basically up to the state or

16   tribe to make that determination.

17   Traceability unit: the unit that

18   is selected by the state or tribe could be the

19   smallest unit that would be placed under

20   quarantine in the event of a disease event.

21   So, let's say in Indiana, I decide Indiana is

22   a traceability unit. So, if I have a trace to

 1   my traceability unit, I quarantine the whole

 2   state. So, it's going to be real important

 3   for states and tribes to determine whatever

 4   that is.

 5   Now, more likely than not it's

 6   going to be a premises, a site where the

 7   livestock is located, but the state gets to

 8   decide that. The tribal nation may decide

 9   it's their reservation or any of a number of

10   things. But it's an important consideration

11   and they've given the states the latitude to

12   make that judgment. The working group has

13   incorporated this concept into the

14   traceability performance measures and it is

15   important that we have a consistent

16   interpretation of this term. It's a new one.

17   We haven't seen that one before.

18   There is the chart, you have it in

19   front of you. So, you can see the specifics.

20   This was actually put together by the working

21   group. They have identified four activities

22   that focus on the interstate movement of

 1   animals. The table on this slide as you can

 2   see here on page 2, and many of you have seen

 3   it before but I'll just briefly go through it.

 4   For example, you'll notice in the

 5   left-hand column they make reference to a

 6   reference animal. Well, this in this table

 7   refers to an animal that is part of an actual

 8   disease investigation. It's basically an

 9   animal of interest that we're trying to find.

10   The reference animal would have moved

11   interstate and would have been officially

12   identified.

13   Some of the performance standards

14   would become more stringent as the outcomes of

15   the new regulations are realized and we have

16   not recommended dates for when these more

17   restrictive measures may take place. But

18   you'll notice in the right-hand column,

19   particularly on number 2, that you have 75

20   percent of the time you would accomplish that

21   task within five business days. And you'll

22   notice in phase 2, it goes 95 percent within

 1   two business days. So, over time the

 2   requirements become more restrictive on

 3   establishing these standards.

 4   So, performance standard number 1

 5   measures how long it will take the receiving

 6   state to notify the state in which the animals

 7   were officially identified. And I'll go

 8   through a chart in a minute that will more

 9   clearly define exactly these four steps. The

10   working group recommends that this step one

11   would be accomplished 95 percent of the time

12   within one business day.

13   The second performance standard

14   measures the ability of a state or tribe in

15   which the animals were officially identified

16   to determine the traceability unit. In other

17   words, where was the tag applied? The working

18   group recommends that this process be phased

19   in to provide achievable standards in the

20   short term and higher standards in the long

21   term. Currently, the records of tags applied

22   are in paper-based systems. As Dr. Ehlenfeldt

1 already mentioned, that may take more time to

2 research than electronic databases, so

3 initially the activity should be accomplished

4 75 percent of the time within five business

5 days.

6   As official identification records

7 become easier, the time required to trace

8 these we hope are going to be less. And when

9 these capabilities are in place, the activity

10 should be accomplished 95 percent of the time

11 within two business days. The complexity of

12 this standard as well as standard number 4

13 directly correlates to the traceability unit

14 that's defined by the state or the tribe. The

15 greater the specificity of the traceability

16 unit, the more advanced the disease response

17 capabilities become. A more complex

18 traceability system is needed to achieve the

19 more specific traceability unit. However,

20 each state or tribe should have a traceability

21 plan that addresses these variables and

22 provides flexibility for local decisions.

1   The third standard. The third

2   standard on that sheet measures the state or

3   tribe's ability to notify the state or tribe

4   from which the reference animals were shipped.

5   And again, I'll show you a slide in here in

6   just a moment that will make this a little

7   clearer. The working group also recommended

8   that this standard be phased in. So, you can

9   notice out there it has two different phases

10   on it.

11   The fourth standard is the ability

12   of the states or tribes to identify the

13   traceability unit from which the reference

14   animals were shipped. And again, we talked

15   about a phased-in opportunity on it as well

16   and we are actually doing a little test

17   exercise in some of this right now to see how

18   this is working, to see if indeed we can

19   accomplish this task. I happen to be one of

20   the states that's involved in that, and Dr.

21   Weimers sitting down in front here is rapidly

22   gathering all this data so we hope we can

 1   learn some things from that to see whether

 2   these are even reasonable.

 3   So, here is the scenario, just

 4   take a for instance. Well, how about that?

 5   Wisconsin is in this example, I don't know how

 6   that happened. So, we've got a cow that moved

 7   from Wisconsin, went to Texas and ended up in

 8   California. Probably not too terribly

 9   unlikely an event, but nonetheless this is the

10   movement that we're going to take a look at.

11   Now, again, you have this in your

12   handout, page 3. Page 3 has this very

13   information in it. Page 3. Okay, so this

14   slide as you're already looking at illustrates

15   what the actions of the states would take to

16   fulfill the traceability performance

17   standards. In this exercise, California who

18   ended up with the cow, the reference animal,

19   California identifies the animal as the

20   reference animal for the purposes of disease

21   trace, and when applying the performance

22   standards several actions would occur.

1   Performance standard 1 is that

2   California, let's say this particular animal

3   in this example had an 840 tag, but it doesn't

4   matter, let's say Wisconsin prefix is what,

5   35? Let's say it's a steel tag that's 35.

6   So, California looks at it, and we all have

7   these charts so we can check the database

8   system for an 840 and say that cow started in

9   Wisconsin. So, task number one on this is

10   California calls Wisconsin, the cow started

11   with you, so I have reported that. That's why

12   we said we could accomplish that 95 percent of

13   the time within one business day because

14   generally you can look at those tags and

15   identify that pretty quickly.

16   So, the task then becomes, once

17   Wisconsin gets that call, so Dr. Ehlenfeldt

18   gets a call from Britmaur in California and

19   says, Bob, we've got one of your cows, it's 35

20   whatever or it's 840 whatever. Bob's task

21   under step number two, Dr. Ehlenfeldt is going

22   to determine, so whose herd got that tag?

1   Where was it tagged in Wisconsin? The

2   traceability unit.

3   Now, he may choose to use the

4   State of Wisconsin. I've got a hunch he

5   probably won't. He's going to get it down to

6   the herd, so which dairy herd applied the tag?

7   So, that's step number two. Now, again we

8   talked about the phasing, so that's would be

9   one of those phase steps.

10   On the third step, California is

11   going to tell Texas, that's the shipping

12   state, so California reports back to Texas, we

13   got a cow from your state. And that's the

14   third step, for California to make that

15   identification.

16   The fourth step is Texas then has

17   to figure out where it was in their state.

18   So, you've got traceability all down through

19   these steps in this three-state movement and

20   those are the four steps. Now, it took me a

21   lot longer to describe it off that chart than

22   it is to tell you, but fundamentally it's just

 1   what we do today. Where was the tag issued?

 2   Which herd got it? And if it traveled through

 3   another state or another pattern, then at

 4   least that state has been notified as well.

 5   Now, you and the crowd, those of

 6   you producers, markets, dealing with milk

 7   cooperatives or whatever else you're dealing

 8   with out there, think through the process of

 9   a 35 tag in California on a cow that left

10   Wisconsin five years ago. I mean that's

11   really where it gets to be challenging. If

12   she left last month, we're not too bad, and

13   she moves around and she gets through. But if

14   it gets to be several years, it gets to be

15   tough to find these, and that's all part of

16   this process. And thankfully, on the

17   performance standards, that's why it's phased.

18   It's going to take a little while

19   to kind of get to where we're looking for

20   these in a different fashion. We've got

21   drawers and drawers of paper in my office in

22   Indianapolis. We're getting more and more

 1   electronic and, therefore, that's why it's

 2   phasing. I think producers are recognizing

 3   the value of having more electronic. It's not

 4   a requirement but it just makes things easier

 5   on the traceability. We'll still handle a lot

 6   of paper over the years to come.

 7   Timely retrieval of those ICVIs

 8   that are complete and accurate will be a key

 9   factor in achieving those third and fourth

10   performance standards. Let's say, another

11   example, you trace it back to a Texas

12   livestock market and she moved three years

13   ago. So, you're back in the dusty boxes

14   trying to find these and so it takes a while

15   to find it. You folks that are in the trade

16   know what we're talking about. This is not

17   anything unusual or different and presents

18   some unique challenges. Again, those are all

19   in your hands. You'll take those home with

20   you.

21   The working group is currently

22   developing a process for evaluating states and

1   tribal nations and their tracing capability in

2   comparison to these performance standards. We

3   recognize the evaluation process must be

4   efficiently administered while achieving

5   accurate and reliable results. This can be

6   achieved using documented time lines when

7   conducting an actual investigation or random

8   tests.

9   Our current thinking is to first

10   establish national values for each

11   traceability performance standard. With these

12   benchmarks and experience in evaluating them,

13   we can more fully articulate how they can be

14   considered on a state or tribal basis. As we

15   gain that knowledge, the traceability

16   performance standard as currently recommended

17   may need to be adjusted. And more details

18   will be available as we move forward into the

19   future here.

20   Now, the next step of this is

21   we've got performance standards and we talked

22   about that box, 95 percent within so many days

1   and what have you, and we have for many years,

2   as Dr. Ehlenfeldt mentioned, states have had

3   statuses. You've got a TB status, you've got

4   a brucellosis status, a pseudorabies status.

5   Fundamentally under this one, a state is going

6   to have a status: can you accomplish the task?

7   And that's basically what we're talking about

8   briefly.

9   Next, it's the same kind of thing

10   that we dealt with in status programs for a

11   number of years. This one just has to be

12   unique to traceability. In this particular

13   one, there would be three levels, status

14   levels 1, 2 and 3. Each species is separate.

15   We've had that question a number of times.

16   So, if you can't accomplish the task in

17   cattle, you're not out so to speak in

18   traceability for every other species in your

19   state. So, each one is separate.

20   Step 1, if you're in status 1,

21   you've basically met the performance standards

22   for that species. So, that's pretty

 1   straightforward. You're in. We hope we can

 2   all be there.

 3   Status 2, and frankly this one was

 4   added a little bit later because there used to

 5   be just two of them, we put this step in the

 6   middle that basically says the traceability

 7   performance standards for the species are not

 8   all met but the performance is within the

 9   defined acceptable range. So, in other words,

10   it's kind of a middle ground. There are no

11   additional traceability requirements that are

12   imposed for interstate movement. The tribe or

13   state implements corrective actions and will

14   be reevaluated in one year. Now, after three

15   years, if you can't get into level 1 then they

16   could be reassigned to status 3 level. So,

17   the bottom line is this is kind of a middle

18   ground, it's kind of a checkpoint that says

19   you're not quite making 1, we need to do some

20   things before we move into status level 3.

21   Status level 3 basically says the

22   performance measures are not met for that

 1   species. Additional requirements may be

 2   applied at this point. Remember, we had a few

 3   exemptions for ID, a few exemptions for ICVIs.

 4   And basically we're still discussing what the

 5   consequences of dropping into a level 3 are.

 6   It may be that you lose some of

 7   those exemption opportunities, and so we're

 8   taking a look at those. It could include

 9   removal of those exemptions, additional

10   requirements for movement. It may be that if

11   it's severe enough, that states may take

12   actions on the movements of animals from that

13   state because you didn't accomplish your

14   traceability task. So, we'll see how that

15   moves forward.

16   And then of course, once you get

17   into level 3 status, you're going to want to

18   get out of it pretty quickly. And APHIS is

19   going to get a process in place so that can be

20   accomplished.

21   Performance standards: a simple

22   approach to measuring and documenting basic

1   traceability capabilities. It's outcome-

2   based. It's achieved with high compliance

3   with official identification, complete and

4   accurate ICVIs.

5   Factors for success. I'm going to

6   turn this back to Dr. Clifford, so he can talk

7   about factors for success. But one of the

8   things I want to mention to you, and I've got

9   too many papers going too many directions up

10   here, one thing is you have everything that I

11   talked about in what you have in about two

12   charts. I want to go back for just a moment,

13   and I know John, he's anxious to get back to

14   the podium here.

15   DR. CLIFFORD: No, that's okay.

16   DR. MARSH: There have been a lot

17   of talk about tags. I've been at it 25 years

18   and some of you have been at it longer, lots

19   of talks about tags. If you'll take a look at

20   this document that talks about Official

21   Eartags: Criteria and Options, I'm not going

22   to spend a lot of time with it. But the point

 1   is for all the tags you've heard about, this

 2   is getting it down to a few pages. These are

 3   the tags we're talking about.

 4   The front page says Table 1,

 5   Official Identification Numbers for Individual

 6   Animals. If you take a look at that, you'll

 7   likely notice that most of this is what we've

 8   been using for years. These are not new.

 9   There is not a new tag. There is not a new

10   way to apply a tag. It's basically the steel

11   tag, that's the tag we're talking about is the

12   one we've been using for 50 years.

13   My dad was in the livestock

14   marketing business in Indianapolis, worked as

15   a commission man in the stockyards down there.

16   And I can remember as a kid these steel tags,

17   so it's nothing different. I want everybody

18   to understand what we're talking about. There

19   are options, 840, RFID, there may be more

20   specific tags. Brucellosis vaccination, the

21   orange tags, which you can also get orange

22   840s for official calfhood vaccination. In

1   here it will describe what a pig tag is. It

2   will describe what a scrapie tag is. But

3   fundamentally you're getting down to just a

4   few pages of what the tags are. And frankly,

5   they're the ones we've been using for a very

6   long time.

7   The other part that I want to

8   mention as you talk about the other handout

9   and the chart on page 4, okay, step one, step

10   two, ICVI, that's the page 4 on Overview and

11   Current Thinking. If you will take a moment

12   and take a look at that, well, I always think

13   of my best questions on the way home, but if

14   you take a look at that page, it's really not

15   fundamentally different in great form than

16   what we do today. For interstate movement

17   requirements, we've had ICVI and official ID

18   requirements for as long as I've been in the

19   business. I mean, there really isn't anything

20   different. So, what is different?

21   One is it puts us in a consistent

22   playing field regardless of whether I'm taking

 1   cattle from New Mexico, Oklahoma or South

 2   Carolina. We're all on the same page, okay,

 3   so we're really not much different. The other

 4   piece is as you look on the out years, then

 5   feeder cattle would be officially identified.

 6   The other piece is that a backtag, those of

 7   you in the marketing business or take cows in,

 8   those backtags would not necessarily be an

 9   official ID but I don't think they're going

10   away. They've been a part of our culture for

11   a very long time. But they're going to need

12   something else in the year besides that

13   backtag is what we're talking about in the out

14   years.

15   The feeder cattle piece, and I've

16   been in these discussions in my state and I

17   suspect in many of your states, I'm dealing

18   with a trace right now to Indiana for TB.

19   Now, this is not a TB suspect, these are

20   lesioned fed cattle which makes me a little

21   nervous, because we get lesioned cows, older

22   cows, but these are fed cattle.

 1   So, I get a report back that says,

 2   Brett, we've got a TB positive steer at a

 3   packing plant in Pennsylvania, it was 50

 4   percent of black steer and its hot weight was

 5   844 pounds. True story. I'm dealing with

 6   this right now in Indiana. So, there is a

 7   package of herds on the Indiana side of the

 8   line and a package of herds on the Ohio side

 9   of the line and we could all, we're all in

10   this trace together. Now, as for me, I'm

11   absolutely convinced it's from Ohio, but the

12   reality is none of us know. All I've got is

13   a hot weight on a steer hanging on a rail in

14   Souderton, Pennsylvania. And that's really

15   all you've got.

16   So, if we can put steel tags in

17   the hands of producers and put a clip on their

18   ear so it's there when it gets to Souderton,

19   Pennsylvania. It makes things much, much

20   simpler. Therefore, it's fundamentally

21   different in this document that you will have

22   the tags. Put a tag in their ear, you're

1   done. It's a brite steel tag.

2   So, I want to make sure you

3   understood. You have everything that I

4   talked, and shuffling a lot of papers up here

5   it maybe seemed a little disjointed. But I'll

6   be here throughout the day. Thanks for your

7   hospitality here in Madison.

8   (Applause.)

9   DR. CLIFFORD: Thanks, Brett, for

10   an excellent job. And just to reiterate what

11   Brett had indicated, these brite tags are less

12   than seven cents apiece. And that's what

13   we're looking to try to provide to you all for

14   funding free of charge, so the producers will

15   have the ability to put those tags in.

16   So, we're going to talk a little

17   bit about some of the next steps, and this is

18   pretty short. And so we'll finish up and then

19   I'll turn it back to Deb.

20   So, while having effective and

21   realistic traceability performance standards

22   is crucial to our traceability framework,

1   other aspects of animal disease traceability

2   are critical for our success. And the success

3   of tracing capabilities and, in turn, the

4   achievement of traceability performance

5   standards depends upon a high level of

6   compliance with the regulation and adherence

7   to our related policies by all animal health

8   officials. High compliance levels go hand in

9   hand with tracing capabilities. We must work

10   collectively to achieve these.

11   Compliance factors with

12   regulations and policies could include several

13   items such as evaluating the proper

14   administration of official ID devices by

15   animal health officials as well as industry.

16   We must maintain a complete and accurate

17   record of the official tag distributions.

18   Eartags and devices must be recognized as

19   official items, and the complete and accurate

20   record of their distribution is fundamental to

21   traceability.

22   With regards to the 840 tags, we

1   will continue with the policy of entering

2   distribution records into the Animal

3   Identification Management System. The records

4   will include premises identification numbers

5   or state location identifiers. This is not a

6   mandatory use. We're just saying we can

7   provide this to the states and producers that

8   want to use those. And if a state chooses to

9   use that system, that's up to the state. We

10   are not driving this.

11   The states or tribes must maintain

12   the distribution records for the brite tags

13   using their preferred record-keeping system.

14   It's up to the state how they keep those. The

15   Animal Identification Management System is

16   being modified to support the distribution of

17   all identification devices, and states may

18   elect to use this system if they prefer.

19   Meeting the requirement for

20   official identification will be a priority.

21   That is, documenting the percentage of animals

22   requiring official ID that are officially

 1   identified when moving interstate. Having

 2   enforcement protocols and accurate resources

 3   is necessary and we will be working with you

 4   all on possible protocols for enforcing

 5   official identification requirements. So, for

 6   example, one of the things that I would like

 7   to see is us getting more back into markets

 8   and to view animals moving in market chains

 9   and concentration points to looking and not

10   just at disease issues but looking at animals

11   and seeing how many of those animals are

12   officially identified.

13   Other compliance factors could

14   include the percentage of official

15   identification collected at slaughter. This

16   is an issue of huge concern because it really

17   supports our bookend approach. It's knowing

18   where this tag was provided on the front end

19   and collection at slaughter for the retirement

20   of that tag. This involves our working

21   relationship with FSIS but we're also, Food

22   Safety and Inspection Service has a mission in

1 those plants, but we're also looking at how we

2 can maybe accomplish that directly ourselves.

3   We realize that APHIS must help

4 the states and tribes to fund traceability

5 activities. We envision each cooperator

6 having an animal disease traceability plan

7 that thoroughly describes its objectives

8 including its traceability unit. The

9 traceability unit defines a level of

10 traceability the state or tribe establishes

11 within its geographic boundaries. Federal

12 funding would be provided through annual

13 cooperative agreements, a detailed

14 implementation strategy supporting the

15 cooperator's traceability plan.

16   Funding levels will be

17 proportionate with the projected costs of the

18 activities defined in the cooperative

19 agreement and align with achieving and

20 maintaining the traceability unit defined in

21 the state or tribal animal disease

22 traceability plan.

1   So, I just want to cover some

2   additional issues that we'll need to address

3   in the CFR. We plan to include a sunset date

4   in the proposed rule to transition away from

5   the use of what we refer to as manufacturer

6   codes and "USA" prefix within the Animal

7   Identification Numbering System. On the

8   effective date of the rule, only the animal

9   identification number with the 840 prefix

10   would be used for animals not previously

11   identified if those animals required

12   identification to move interstate. So,

13   basically, what we're saying is, and this is

14   not for all tags, we're just saying for the

15   840 tag that's used, and by the way 840s are

16   not all RFID, there's visual 840 tags as well

17   as RFID, what we're saying is we allowed

18   initially a manufacturer code on that and

19   we're no longer going to allow a manufacturer

20   code.

21   So, if a producer has those tags,

22   they'll be able to continue to use those.

1   They'll still be recognized, but we'll just

2   phase out the manufacturer code for that tag.

3   All other tags, that's not what we're talking

4   about, if a producer wants to use the metal

5   tag which is what we are advocating, it's low

6   cost, that's not what I'm talking about here.

7   I'm talking about the 840.

8   APHIS will add its own

9   requirements for the collection of ID tags at

10   slaughter. These requirements, again, will

11   complement what FSIS is already doing but we

12   want to make sure that that information is

13   collected and entered into a system.

14   We plan to eliminate the

15   regulation that disallowed the use of 840 tags

16   on imported livestock. While the intent of

17   the regulation had merit at the time,

18   reidentifying these animals is not practical,

19   especially if the producer or animal health

20   officials need to identify the animal with an

21   RFID tag.

22   We will maintain the regulation

1   that prohibits the removal of official

2   identification devices except at slaughter,

3   and will look for ways to improve our

4   enforcement of this regulation, or at death.

5   Obviously if the animal dies on the farm or

6   another location, we do want all of that ID

7   collected from that animal. That's what

8   assists us in the traceability.

9   So, with that, I'm going to turn

10   it back over to Deb and thank you all for your

11   attention.

12   (Applause.)

13   MS. MILLIS: Thank you, Dr.

14   Clifford. And I also want to thank Dr.

15   Ehlenfeldt from Wisconsin for talking about

16   traceability, and you, Dr. Marsh, for talking

17   about the work of the Traceability Working

18   Group.

19   I especially want to thank all of

20   you for your careful listening that you've

21   been doing. And we would like to give you an

22   opportunity for some of the questions and also

1   would like to get your input into some of the

2   ideas that you have around the traceability

3   standards and the rule that we're getting

4   ready to write.

5   On each of your tables, there is a

6   paper that looks like this and it's asking for

7   your questions. If you would take an

8   opportunity throughout the rest of this day

9   and write those down, we can collect those,

10   and at the end of the day we're going to make

11   sure that we can address these within this

12   group.

13   What I'd like to do next is take

14   about a five to ten-minute break and rebalance

15   fluids, whatever people need to do. But then,

16   let's come back into this room and we're going

17   to take an opportunity in our small groups

18   around these tables to have some discussion

19   about the traceability regulation and

20   performance standards because we want to get

21   your input on, you know, issues that were

22   identified and what you heard today that may

 1   be of greatest concern to you or your branch

 2   of the industry or the species that you're

 3   focused on.

 4   During this brief break, we're

 5   going to invite you to move to a table that's

 6   related to the species you're talking about.

 7   If you want to just take your things with you

 8   and go to that, we want to get people

 9   distributed around the room so that we can

10   have some meaningful discussions in this.

11   So, by my watch, let's come back

12   here in about seven minutes, and that would be

13   a quarter till the hour, and let's meet around

14   these tables and there will be a USDA person

15   at each of those tables that can help

16   facilitate the discussion. And, Cat, did you

17   have an announcement about the lunch?

18   MS. BROWN: Those who are

19   interested in lunch, they should go and get

20   their vouchers.

21   MS. MILLIS: So, if you're

22   interested in that lunch, there is a $13

1   buffet. You should go to the front desk

2   during this break also and get your vouchers

3   for that. And we'll be back here in just a

4   few minutes, so it's just a brief break.

5   (Whereupon, a recess was

6   taken.)

7   MR. HAMMERSCHMIDT: Thanks a lot,

8   Deb. All right. This is really part of the

9   discussion or the public meeting venue that we

10   are anxious to initiate here because it really

11   starts the interaction with the industry that

12   we're very keen on getting your feedback. We

13   feel that small discussion groups that we're

14   providing gives you all the opportunity to

15   provide comment. Whatever you discuss at your

16   table, you are to have a spokesperson report

17   back here as we review some of the material

18   information that was presented this morning.

19   There might be all kinds of

20   questions and comments that you want to

21   provide back, and all of that is really great.

22   But we do try to offer some guidance in the

1   discussion, really two questions. The first

2   one is in regards to the regulation and the

3   performance standards that we would like to

4   focus on primarily this morning. And then the

5   other question pertains more to the evaluation

6   and the presentation of the outcomes of the

7   measurements of tracing capabilities.

8   And so we will try to split those

9   apart, but if you look at the question number

10   1, again, traceability regulation and

11   performance standards. We admitted openly

12   that our primary focus is on cattle because

13   that's where the greatest void in

14   traceabilities are at today, primarily because

15   a lot of the disease programs, calfhood

16   vaccination for brucellosis is phasing out,

17   we've got a bigger void in animal ID in the

18   cattle sector. Not true for some of the other

19   species, but other specie groups are

20   represented.

21   Those that are here from those

22   groups, sheep, goats is a good example. We

 1   want to make sure that the new framework

 2   doesn't mess up something that is currently

 3   working. Voice your opinion on that. But

 4   basically, as you look at the species that

 5   you're dealing with, maybe acknowledge very

 6   quickly, I think it's obvious where the gaps

 7   in traceability are, where the proposals, the

 8   regulations that the working group has come

 9   forward with help plug those inadequacies as

10   far as traceability, especially with animal

11   identification.

12   So will the traceability

13   regulation specifically address the gaps in

14   traceability and support or complement ones

15   that exist? And that's what I was attempting

16   to say earlier. Are the regulations requiring

17   official ID and Interstate Certificates of

18   Veterinary Inspection as presented of merit?

19   What's your opinion on the recommendations

20   regarding the requirements for official

21   identification and the use of ICVIs? How will

22   they help improve or enhance the information

 1   needed to achieve the traceability trace-back

 2   protocols that have been laid out?

 3   Very important, what are your

 4   concerns as your group starts to discuss the

 5   application of official identification maybe

 6   more broadly, what are your concerns about the

 7   actual implementation of those requirements?

 8   How about the timelines that Dr. Marsh laid

 9   out? We're looking at the proposed rule,

10   April, plus or minus, next year, 12 to 15

11   months following that, the final rule in

12   which, in step one for cattle, those

13   regulations would be effective. Initially

14   through an educational program, but shortly

15   after, strict enforcement, if you will, or

16   appropriate enforcement. And then one year

17   later, expanding those requirements where the

18   exemption, especially for feeder cattle, would

19   be discontinued. So, at that point in time,

20   basically one year after the publication of

21   the final rule, the working group is

22   recommending that all livestock, cattle

1   specifically, moved interstate would be

2   applicable for those official ID requirements.

3   So, as we look at the timelines,

4   we're starting a transition period, one year

5   after the proposed rule, and then phasing in

6   more broadly the official identification in

7   the cattle sector for the entire population

8   except for those animals moving, as Brett

9   mentioned, from one state through a state and

10   back, commuter herds and those types of

11   scenarios. So, those movements are maybe more

12   movement-specific instead of age and class of

13   animal, the official ID at that point in time

14   really encompasses all age and classes of

15   cattle.

16   So, also give us feedback: Is the

17   timelines too far out? Should they be more

18   sooner? Are they coming down the pipe too

19   quickly? Are those regulations, are they

20   applicable, are they practical for getting

21   animals officially identified that move in

22   interstate?

 1   So, really an open discussion to

 2   try to give us feedback on the practicality of

 3   the requirements proposed in the regulation.

 4   Can we achieve the timelines that have been

 5   laid out and those kinds of things would be

 6   greatly appreciated in your report back. And

 7   Deb, you're looking at a timeframe of the

 8   discussion for the first question? Deb, you

 9   might have mentioned it, how long are we

10   talking? 45 minutes? Half hour?

11   MS. MILLIS: Yes, about 35

12   minutes.

13   MR. HAMMERSCHMIDT: And certainly

14   there's state and VS, APHIS Veterinary

15   Services people scattered at each table. They

16   can certainly offer points of clarification.

17   But we really want this discussion and an

18   opportunity to provide feedback coming from

19   the industry very, very, very much so. So,

20   have a good discussion.

21   (Whereupon, breakout

22   group discussions were

1   conducted.)

2   MS. MILLIS: All right. Let's

3   come back together as a group. And what we're

4   going to do in this part as we come back

5   together is we're going to have a microphone

6   at each table. And we're going to ask you to

7   select a spokesman at your table to report

8   out. And I'm also going to follow up and ask

9   you if anyone else has any additional comments

10   that they want recorded for the record.

11   So, each table host, if you could

12   bring your table to order please?

13   All right. And let's come back

14   together as a room now. All right. John, if

15   we could start with your table in the back?

16   John Picanzo. And let's give John your

17   attention, everyone, please.

18   MS. SHELTON: I got volunteered to

19   do this. Apparently I drew the short straw

20   for this table, so -- oh, I'm Liz, Liz

21   Shelton.

22   Basically, the concerns we had

 1   were that --

 2   MS. MILLIS: Could you hold on

 3   just a moment? I don't think our court

 4   reporter can hear you, and these comments will

 5   be recorded for the record, for the

 6   Secretary's attention. So, I'll turn the

 7   floor back to you now.

 8   MS. SHELTON: Okay. Some of the

 9   concerns that came up at our table were that

10   steel tags are going to be a step backwards,

11   especially in Wisconsin with -- can you not

12   hear me still? Just talk slower? Talk

13   slower. I'll try to talk slower.

14   Some of the major concerns at our

15   table were that steel tags are going to be a

16   big step backwards, especially in Wisconsin

17   where I believe 400,000 RFIDs have been given

18   out, was the figure that we said here. And

19   that there haven't been many meetings in this

20   part of the country so there is less input

21   from the dairy sector as opposed to the beef

22   sector who doesn't really favor as much ID.

1   There was a little bit of a

2   concern that the timeline might be too quick,

3   the timeline that's been proposed, that maybe

4   2013 would be more reasonable, 2015, something

5   like that. But there is a lot of concern

6   about losing markets and the consequences of

7   that, lost markets due to disease outbreaks,

8   et cetera.

9   We talked about tag retention.

10   I'm not really sure what I'm supposed to be

11   summarizing, but we talked about tag retention

12   with metal versus RFID tags and which tag has

13   better attention. And liability concerns was

14   actually a big discussion and hoping that

15   somebody up the chain at USDA is talking about

16   liability concerns for producers. And the

17   custody chain, that there needs to be a more

18   robust custody chain from producer to packer.

19   And I don't know what else I

20   forgot. Anyone at the table?

21   MS. MILLIS: Are there any

22   additional comments from your table that you

1   want to be sure are in the record?

2   (No response.)

3   MS. MILLIS: Thank you. And let's

4   go to your table, Ann.

5   PARTICIPANT: Maybe I didn't take

6   very good notes.

7   MS. MILLIS: The switch is on the

8   bottom.

9   PARTICIPANT: Hello? I didn't

10   perhaps take very good notes, but what I have

11   here is that existing programs will be able to

12   be used for small producers so it's not an

13   additional burden. The question of liability

14   of producers, for example, in scrapie.

15   Databases must be useful for the producer and

16   not for the government. People should be able

17   to use the type of tag that works for them.

18   MS. MILLIS: And are there any

19   other comments at your table that you want to

20   be sure get collected?

21   (No response.)

22   MS. MILLIS: All right.

1   MR. WATERS: Okay. I got

2   nominated. I'm Rick Waters. So, basically,

3   from our table, we really feel overall that

4   this isn't going far enough. The traceability

5   isn't there. Some concerns are with three

6   people here representing the dairy procurement

7   side, they can actually trace within four to

8   five hours if something happens in a

9   restaurant back to the vat of milk. I don't

10   see how this is going to do that.

11   If we go with the four-step plan,

12   I'd like to go back to the herd in Ohio with

13   200 cows going into 17 different states. With

14   this plan with the metal tags, I find it hard

15   to believe that in three days they will have

16   recovered 95 percent of the animals.

17   So, along with that, with the

18   metal tags and it being compliance driven,

19   when the tags get dropped off at the farm, if

20   they come from the veterinarian, when does the

21   veterinarian update the system that he left

22   them there? And then when the producer puts

1   them on, when do they update the system?

2   And if we look at it, for example,

3   someone studying epidemiology, I guess from

4   the standpoint of accuracy of the system, if

5   all five of us here are producers and we're

6   all 95 percent compliant, only 77 percent of

7   us as a group are accurate. And is that what

8   we want?

9   So, summing it up, it's got to

10   become electronic, automated, and we've got to

11   have, it's just got to be quicker.

12   MS. MILLIS: Thank you. And are

13   there any other comments at your table?

14   (No response.)

15   MS. MILLIS: Thank you. And we'll

16   go over here to this table. Thank you.

17   PARTICIPANT: Okay. Our

18   discussion, some of the points, producers are

19   somewhat being held at the mercy of the

20   efficiency of the State Animal Health Office

21   for assessing -- accessing information that

22   they may already have. Don't know from the

 1   state vet what the current tracing capability

 2   is or know what the problems are. There's

 3   different problems in different states'

 4   offices.

 5   The seven-cent tag may not be the

 6   lowest cost tag, likely increased cost for

 7   that producer's vet cost or consultations,

 8   higher potential marketing costs. Again, the

 9   discussion, who bears the cost?

10   And then we had discussion on

11   phasing out of the manufacturer's coded tags.

12   How can USDA control a manufacturer from using

13   them? Potential to alienate producers on

14   that.

15   Concern expressed about a

16   Wisconsin tag being official in another state.

17   Again, trying to maintain that national

18   standard. And a concern about 50 different

19   databases being able to talk to each other,

20   maintaining that interchange. And we did have

21   the Amish discussion at our table.

22   MS. MILLIS: Is there anything

1   else that anyone at your table would want to

2   add?

3   (No response.)

4   MS. MILLIS: And let me just make a

5   note of it, these notes that have been

6   collected at the tables, we'll be standing

7   over by the door and we'll ask for them so

8   they can be recorded in the record if you'd be

9   so kind.

10   And now we'll go to this table

11   towards the back.

12   MR. McKENNA: My name is Tom

13   McKenna. First, the first issue we really

14   talked about was the requirement to have an ID

15   versus the requirement of recording the

16   information on the ID and the conversation

17   around that that has to do with points of

18   destination recording versus bookends. Where

19   are the numbers recorded and how does that

20   info get to whom? And who is it that it

21   should get to?

22   You know, if there is no system

 1   where trace-backs can be traced to points of

 2   exposure, are you really getting the

 3   information you're looking for to see who has

 4   been exposed and where you're going to go look

 5   for other areas where you might have disease?

 6   And then, the other discussion

 7   just around the inefficiencies of having to do

 8   the brite tag type of tag where you're reading

 9   it manually. So in areas where lots of

10   animals are moving through, do you have to

11   just note that there is an ID tag there or do

12   you actually have to record the number? And

13   if it is being recorded by hand, that becomes

14   so inefficient at certain collection points

15   that, you know, the market is going to have to

16   drive it where you bill people more if they

17   don't have an RFID kind of tag that can be

18   read more easily or not.

19   But I mean, somewhere along the

20   line it's going to cost more to implement this

21   system at a large area where large numbers of

22   animals are being handled if you're using

 1   traditional ID versus the newer electronic

 2   types of ID. And then just the fact that, you

 3   know, some of that may be driven by packers

 4   who want other information besides just where

 5   the animal has been, and they'll pay more for

 6   electronic ID versus more traditional ID and

 7   that might help the system.

 8   And we also discussed the -- you

 9   know, having one official ID tag has

10   advantages because the forms can't accommodate

11   more than one. Collecting one is bad enough.

12   If you have to collect five, that gets to be

13   awfully complicated. But also, the ability to

14   switch from traditional to the newer

15   technology, if you want to add an RFID tag to

16   an animal that already has a brite tag, what's

17   the process for that? And how do you keep the

18   information from both tags traveling together?

19   And finally, on the CVI forms,

20   when you're handling forms from lots of

21   different states and they're all different,

22   that can be an issue, too. And if there were

 1   a template to kind of standardize where the

 2   specific information was, that would be

 3   helpful.

 4   MS. MILLIS: Thank you, Tom. Is

 5   there any other comment that anyone else at

 6   that table would like to add?

 7   (No response.)

 8   MS. MILLIS: Hearing none, I'll go

 9   here to this table. Abby?

10   PARTICIPANT: We're in the

11   minority here. We're the swine table.

12   We, in our industry, are paid

13   individually for animals, so mandatory ID has

14   been with us on the slaughter side for a long

15   time. And that's usually done at the first

16   point of sale. That system has worked well in

17   our industry.

18   Gaps or problems that we have deal

19   with the sows and show pigs in our industry.

20   Maintaining a metal tag for a sow that is

21   going through five or six farrowing crates and

22   came in as a replacement animal buy, and most

 1   of our larger producers buy replacement

 2   animals three or four times a year. Some buy

 3   the semi load coming across state lines with

 4   a metal tag, and maintaining that

 5   identification over a period of several

 6   lactations will be a problem.

 7   On the show pigs side, our pork

 8   association supports mandatory slaughter sales

 9   at fairs. That position isn't supported by

10   the show pig industry though. And so, we have

11   some animals that go through several fairs.

12   We have animals that come in we know without

13   papers. And so, if the commercial side is

14   doing its job, some of our commercial folks

15   wonder whether or not there are disease issues

16   that can come from the show pigs side and how

17   that affects their livelihood. So, how we

18   deal with that sector, we don't have the

19   answers. But most commercial producers

20   support a slaughter requirement for show pig

21   animals.

22   Private sales would be a gap where

1   animals do not go through any market facility

2   and how these animals are handled. Pet

3   animals can be a gap. And Mike, our

4   veterinarian, raised that issue of more and

5   more pet pigs and heritage breeds and other

6   pets in the industry and how these animals

7   travel and how they're ID'ed would appear to

8   be a gap.

9   MS. MILLIS: Thank you. Is there

10   anyone else at your table who would want to

11   make any other comment?

12   (No response.)

13   MS. MILLIS: All right. We'll go

14   over here.

15   MS. BLAIR: Hi, I am Janice Blair.

16   And our table is the equine table so we have

17   a little bit different because we were just

18   told that the regulations that are being

19   proposed do not affect the equine right now as

20   far as what's currently -- that what is

21   current will stand at this point in time.

22   However, there still was concern about the ID

1   technology and what could make it more easy

2   and accessible for horse owners and more

3   efficient for them, and cost efficient also.

4   We also talked about direct sales.

5   We kind of got off the equine for a moment and

6   talked about the direct sales to consumers by

7   producers, even when they have to cross state

8   lines to have their meat processed or sell in

9   another state if they are USDA-processed at,

10   like, say a farmer's market or something like

11   that, the exemption possibilities of that.

12   And that would be under step two, exemptions

13   under step two.

14   And also, the timeline perhaps

15   might be a little bit too aggressive or just

16   not realistic if we're there. And there was

17   also concern expressed about the ICVIs in

18   different states and the compatibility of

19   software and being able to access that.

20   MS. MILLIS: Thank you. Is there

21   anyone else at your table that has any further

22   comment?

1   (No response.)

2   MS. MILLIS: All right. Then

3   we'll go to this table.

4   PARTICIPANT: There were a variety

5   of views expressed at our table so I'm just

6   going to run through them. One concern was

7   about Amish who may be concerned about animal

8   ID. So, the proposal was to have an exemption

9   within the law for someone who has a concern

10   for conscience reasons.

11   The next concern was whether

12   states would be able to meet the performance

13   standards in the timeline set forth that's

14   been expressed before. Another concern that

15   was raised was the cost to states and whether

16   --

17   MS. MILLIS: Do you mind speaking

18   up just a little bit please? Thank you.

19   PARTICIPANT: Yes. Another

20   concern that was raised was what the cost of

21   the program would be to states, particularly

22   for the labor that it would take to enter data

1   into a computer system, the cost of a new

2   computer system itself, and then the cost of

3   education. And there will be some cooperative

4   funds available for that but the question is

5   whether those will cover the cost to the

6   states of implementing the program.

7   There was also a concern expressed

8   about lost tags and that being a gap. Another

9   concern is safeguards for data and making sure

10   that those are, that the data collected

11   through this program would not fall into the

12   wrong hands or whether it would be accessible

13   through a Freedom of Information request. And

14   we also noted that the cost of the metal tags

15   would be relatively low at seven cents per tag

16   and hopefully those costs would be covered by

17   funds from USDA.

18   MS. MILLIS: Thank you. And are

19   there any other comments coming from that

20   table?

21   PARTICIPANT: Thank you. One of

22   the concerns I have and it doesn't necessarily

 1   have to do with crossing state lines, it's

 2   trade. One of the important parts of animal

 3   agriculture when 25 percent of our animal

 4   products need to be exported is that we

 5   maintain a system that's responsive to that.

 6   When you look at the countries that really do

 7   a lot of trade in animal products, New

 8   Zealand, Australia, the European Union, you

 9   know you need to have a system in place that's

10   acceptable to those countries.

11   And for instance, when you look at

12   what's happened with the somatic cell count on

13   dairy products now, they're requiring, it's

14   not the delayed implementation but in the past

15   it's been a 400,000 somatic cell count in

16   order to be able to trade. They're changing

17   that to individual farms having to have a

18   minimum of 400 somatic cell count.

19   So, I just want to make sure that

20   whatever system we have in place takes into

21   consideration the trade aspect and the

22   implications that it could have on our

 1 industry.

 2   MS. MILLIS: Thank you. And are

 3 there any other comments from your table?

 4   PARTICIPANT: My question is right

 5 now is, what's the US government doing with

 6 like the TB that is possibly coming from

 7 Mexico? You know, if these, if we're getting

 8 TB from other countries, why aren't we already

 9 addressing that if that is an issue? You want

10 to say, okay, the American farmer needs to

11 buckle down. He needs to get down on his

12 knees and do what the government says. We've

13 got to sign up to tag all of our animals.

14   What are we doing about the

15 products coming in? I would like you guys to

16 stand up and tell us what you're doing about

17 it today. And if you're not doing it, when

18 are you going to start doing that? Wouldn't

19 that prevent, what percentage would that

20 prevent?

21   Canada, that's what I'd like to --

22 how can they get around like boxed beef and

1   stuff like that? What's going on? You guys

2   are going to regulate us to death and let them

3   get away with bloody murder. Answer the

4   questions, please.

5   In the last meeting I went to, the

6   government never answered any questions. Why

7   can't you guys answer anything? We asked this

8   gentleman what the cost was going to be, the

9   exact amount of money that the United States

10   Government is going to have to spend. The

11   exact amount that they're going to have to

12   spend to implement all these things which he

13   stood right up there and said his stuff that

14   right now is that it's in place, it's taking

15   care of our country fairly well. Wasn't that

16   you, Mr. -- I can't remember your name.

17   So now we're going to spend a

18   whole bunch more money when there is no money

19   in the economy. Farmers ain't making nothing

20   for their milk. Come on, folks. The

21   gentleman back here, you want to make

22   everybody implement it. The Amish don't got

1   computers. How is this going to work?

2   MS. MILLIS: Thank you. Are there

3   any other comments at that table?

4   (No response.)

5   MS. MILLIS: Then we're going to go

6   to this table because they've been waiting

7   very patiently and then we'll come back to

8   that.

9   MR. QUAN: Well, I can wait a long

10   time. I guess some of the things that we

11   discussed at this table, my name is Terry

12   Quan. Cost. When you talk about the seven

13   cents, our discussion was that seven cents is

14   a cheap tag but that isn't the cost. The cost

15   is of what that tag will do up and down the

16   line as far as speed of it, efficiency, how

17   that will slow down this market, how that will

18   slow down the processing facility or what have

19   you.

20   We need to talk about real cost

21   here and inefficiencies within what tag, what

22   this, what that. Let's talk about the real

 1   cost. Speed is always an issue. Will we be

 2   able to conduct our business on an appropriate

 3   speed scale to make sure we keep our

 4   efficiencies, make sure we keep our animals in

 5   a safe and healthy manner?

 6   Accuracy is a big issue that we

 7   have a problem with here. When you talk about

 8   reading a nine-digit alphanumeric number, one

 9   thing that was brought up was what happens if

10   you transpose one letter or one number in that

11   system? You could be on the wrong farm

12   looking for the wrong animal in a trace-back

13   system. So, very concerned about just the

14   human aspect in this thing, about having to

15   read and write in a timeframe, in a manner

16   where conditions are not always appropriate.

17   Our conclusion was here we would

18   like to see it farm to plate. We definitely

19   feel that animals need to be tagged coming off

20   the farm. Another issue is the education

21   timeline. No matter how you want to sell this

22   program or how you want to implement this

1   program, how you want to do it, education is

2   going to be critical. And I think we're

3   underestimating or this group is

4   underestimating the amount of education that

5   it's going to take to get 100 percent of

6   everybody on board and get it on board in the

7   appropriate manner when you consider that

8   you're going to have 50 different programs.

9   And I guess that sums it up.

10   Anybody else?

11   MS. MILLIS: Thank you, sir.

12   Anyone else at that table have any other

13   comments?

14   (No response.)

15   MS. MILLIS: Let's go back to this

16   table.

17   DR. SCHULTZ: Hi, I'm Dr. Lynn

18   Schultz. I'm a veterinarian working with ABS

19   Global in DeForest and we're going to tag

20   team. I'll hand it off to Yvonne Brown in

21   just a minute here.

22   I want to bring up a point. I

1 happen to work for an organization where we

2 identify things to death. We bring in bulls

3 from all over the country as calves and

4 whatnot. They're tested on farm, they pass

5 tests before coming into the stud. They are

6 given a specific National Association of

7 Animal Breeders number that identifies them as

8 part of our stud as well as their own

9 individual unique number that stays with that

10 animal the rest of their life. They receive

11 an eartag with that number as well as a tattoo

12 on each one of their ears. And they also

13 receive an RFID.

14   And I guess what I'm saying is,

15 folks, in the NAAB particular umbrella of

16 unique animals, in the future, are we going to

17 have to come up with a new system that could

18 adapt to the trace-back when our system

19 already allows for probably the best trace-

20 back of any disease surveillance in the

21 country? So, okay, Yvonne?

22   MS. MILLIS: Anyone else at that

 1   table have any comments?

 2   MS. BROWN: I'm going to cover the

 3   rest of the comments at our table. We had a

 4   concern about the enforcement of the premise

 5   IDs. Some people don't want to tag their

 6   cattle, so that's an issue at our table.

 7   Another concern is who needs to put the tags

 8   in? Like for feeder cattle, does it happen on

 9   the farm or is it going to happen at the point

10   of sale? And who is going to have the

11   liability for that?

12   The other issue we had was the

13   traceability and how large a size is that

14   traceability going to come down to. Is it

15   going to be, say your example of a can, you

16   know, your cat food can, or is it going to be

17   per farm that we go back to traceability? A

18   lot of us felt that the smaller the area for

19   traceability to quarantine would be more

20   effective if we're going to spend all this

21   money on IDing.

22   A question was brought up about

1   the accuracy of a metal eartag versus the RFID

2   tag for tracing back. Accuracy as in, does it

3   stay in better and how is the readability on

4   both of those? Which is more accurate?

5   Another large discussion we had

6   was on the cost of the tag. Sometimes up-

7   front costs are really cheap but long-term

8   costs are very expensive. Maybe the metal

9   eartag, the steel tag is not the way we really

10   want to go. It's pretty cheap up front but if

11   you ever have to read those metal eartags and

12   process those metal eartags, it's not very

13   cost effective.

14   If you have the RFID tag, they

15   read a lot smoother. They're more, on my

16   dairy anyway, they're more accurate and that's

17   just my personal opinion, not the table's.

18   They just save a lot of time. And if time is

19   so important on tracing disease backs, you

20   know, what's the difference between six hours

21   and five days? It makes a lot of sense if we

22   spend a little more money up front.

1   And one last comment at the table

2   was we really feel, or some of us felt that

3   the program really should be on a national

4   level to make traceability so much quicker.

5   Five -- fifty different programs to trace

6   animals back seems kind of archaic. Maybe we

7   should go to one, maybe we should step back

8   and think about this one more time.

9   MS. MILLIS: Thank you. And are

10   there any other comments at your table?

11   MR. GRIEPENTROG: Yes, I'd like to

12   make one more. Can you hear me? Okay. Well,

13   my name is Paul Griepentrog and I've been

14   involved in this since they started in this

15   state. The gentleman that got up there today

16   from the state of Wisconsin said we were first

17   in premises registration. And that is

18   correct. But we were also first in the first

19   judicial decision regarding enforcement,

20   because no matter what y'all come up here

21   today, when it comes enforcement time, it has

22   to be done in front of a judge. And that

 1   judge's decision in the Miller case is now

 2   stare decisis which is a fancy Latin word for

 3   decided decision.

 4   And his decision decided the

 5   premises ID as it's being implemented here is

 6   not a benefit over the existing system. And

 7   any enforcement of any of the rest of this

 8   will be able to draw on that case and their

 9   defense. It's almost as if everybody is kind

10   of turning a blind eye to this court case and

11   what's come out of it.

12   Now, is that the kind of

13   enforcement you want where you're going to be

14   dragging these people into court and making

15   them do it? That case went against the state,

16   and to my knowledge there has been no official

17   appeal filed within the 15-day timeframe. So,

18   it stands and could be cited anywhere in this

19   nation.

20   MS. MILLIS: Thank you, sir. Is

21   there any other comment at that table?

22   Anybody else?

 1   (No response.)

 2   MS. MILLIS: Let's go to this -- I

 3   think it's our final table, if I haven't

 4   missed anybody. If I did miss someone, raise

 5   your hand.

 6   MR. VAN LANNEN: All right. I'm

 7   Steve Van Lannen. And like most of us,

 8   unfortunately my comments all end in question

 9   marks.

10   One of the first comments we

11   talked about was will producers implement

12   tagging animals? We also talked about a lot

13   of producers in the state don't use

14   veterinarians so getting tags in their hands

15   is maybe a good step but implementation is

16   still a concern. If a producer is marketing

17   cattle, they're going down to a local auction

18   market, they don't know if they're going out

19   of state. Is that responsibility then going

20   to become on that auction market to tag those

21   animals?

22   I think we've got some discussion

1   about what's going to be required of an

2   official tagging location if you will, and

3   will producers know that this is or isn't an

4   official tagging location?

5   A big deal of concern, if we are

6   moving cattle through markets, are we going to

7   have to record those IDs? If we're talking

8   about metal tags and official IDs, that

9   becomes virtually impossible to get any

10   accuracy with that and keep the flow of

11   commerce that we need. We did talk a little

12   bit about, and I think this is a big issue,

13   is, obviously, retirement of these IDs.

14   Certainly when we do an investigation, if we

15   can determine that a lot of these animals have

16   already been harvested and those tags are

17   retired, that closes a loop on a lot of

18   investigation. It's our understanding that

19   APHIS is going to have the responsibility of

20   retiring those tags. At a plant, we can match

21   up those IDs, but certainly there's a lot of

22   work to be done to getting those into a

1 database and getting them retired.

2   Now, there is the concern, I don't

3 know if it's been mentioned, but in most feed

4 lots, most commercial feed lots, standard

5 practice is to remove all tags upon receipt.

6 You can say you're going to maintain that

7 legal requirement but, again, we've got to get

8 that practice changed. That's a challenge for

9 all of us.

10   And I think, lastly, the last

11 comment I recorded is if we allow trace-back

12 only to a state, that's ineffective. It

13 needs to be a smaller area. And I don't know

14 that we can rely on states or tribes to make

15 that a smaller area than just the state

16 boundaries.

17   MS. MILLIS: Thank you. And are

18 there any other comments from the your table?

19   (No response.)

20   MS. MILLIS: All right, thank you.

21   I want to call our attention once

22 again to the blank sheets that we have for

 1   questions, because you may have some

 2   outstanding questions that you'd like to have

 3   addressed. And go ahead and write those on

 4   there, we've got extra sheets of those. And

 5   thank you, those who have brought them to me,

 6   I appreciate that. And if you could record

 7   those and get them to me I'd appreciate that.

 8   So we're now at the top of the

 9   hour and we're going to take an hour for

10   lunch, and then resume here. When we return,

11   we'll have another breakout to have some

12   discussion and dialogue about the next set of

13   questions that have to do with compliance

14   around these regulations and get similar kind

15   of feedback from you and solutions that you

16   might have for how these things may be

17   measured or how we can prove that we're doing

18   a good job in this country in traceability.

19   So let's break for lunch and the

20   buffet is just down the hall.

21   (Whereupon, a recess was taken.)

22   MS. MILLIS: Welcome back. I hope

 1   everyone had a good lunch. And now as we all

 2   come back to order, I'm going to turn the

 3   floor over to Neil Hammerschmidt and he is

 4   going to frame the next set of questions that

 5   we'll use in our table discussions. So if we

 6   could all come back and give our attention to

 7   Neil? Thank you.

 8   MR. HAMMERSCHMIDT: Thanks, Deb.

 9   What am I supposed to do? So, we're going to

10   focus a little bit on the second question

11   that's on your document: determining and

12   evaluating tracing capability. Dr. Marsh's

13   report included what we're calling the

14   traceability status designations, level 1, 2

15   and 3.

16   Again, a quick review. Level 1

17   was for the states or tribes that met or

18   surpassed the tracing capability requirements.

19   Level 2 was kind of that interim position

20   where they did pretty good but not quite good

21   enough, where they're not still at a complete

22   shortfall, where they're going to have

1   additional requirements imposed on the animals

2   or livestock that move interstate from their

3   state. We want corrective action put in place

4   to move them up to level 1. And then level 3

5   was they missed those traceability performance

6   standards. They did not achieve those and,

7   therefore, they were status number 3 and

8   additional requirements for the movement of

9   livestock would be put in place for animals

10   moving from those geographic areas.

11   So, we're asking basically again

12   is that an appropriate way of presenting the

13   outcomes? Again, going back to one of the

14   basic principles of the new framework was that

15   we're establishing a regulation that is

16   outcome-based, and is this an appropriate way

17   of achieving that objective, outcome-based?

18   We're not dictating how the animals have to be

19   identified specifically. We want to focus on

20   the end product, basically tracing capability.

21   Does that presentation of tracing capability,

22   level 1, 2 and 3, make sense to you? Is it

 1   practical?

 2   We talked about some other

 3   additional requirements that could be put in

 4   place. I think it's a challenge that we have

 5   additional requirements that are meaningful,

 6   so there is an incentive for states to meet

 7   the requirements, but at the same time, how

 8   much burden is appropriate, if any, for

 9   producers in those situations? Are there

10   other types of additional requirements that

11   could be considered as the working group

12   continues to finalize this area? Again,

13   enough of an incentive to achieve those

14   tracing capabilities but at the same time

15   consider fairness and appropriateness as far

16   as the movement of animals/ livestock from all

17   the areas.

18   So, it's a kind of a balance where

19   you want enough incentive but yet at the same

20   time the practicality of imposing additional

21   requirements. So, that's kind of the focus of

22   the discussion this afternoon. If we could

 1 have you focus a little bit on that, but again

 2 other topics or issues that maybe you didn't

 3 get covered in the first discussion this

 4 morning.

 5   MS. MILLIS: Thanks, Neil. Let me

 6 also remind you, on your table are those lists

 7 of questions or -- it's a blank page. And

 8 thank you, those of you who have turned your

 9 questions over to me. If you'll get those to

10 me during this time also, I'll be milling

11 about the room.

12   If you are content at your table,

13 that's fine. If you'd like to get up and move

14 to a different table and focus on a different

15 species, that's fine. And we'll go over that

16 set of questions and each of your tables

17 should have someone from USDA there. And so

18 we'll do this for about the next 40 minutes,

19 4-0.

20   (Whereupon, breakout

21   group discussions were

22   conducted.)

 1   MS. MILLIS: We're going to go

 2   around the same way that we did before and

 3   hear from each table about some of the things

 4   that came up during your discussion.

 5   All right. Neil, we're going to

 6   go to your table first. So whoever your

 7   spokesman is?

 8   MR. VAN LANNEN: All right. Steve

 9   Van Lannen again.   You know, I'll start out

10   by saying I think our group agreed that this

11   is more effective than where we were before

12   because we're mandating something. But as

13   you'll figure out, it's still probably not

14   enough in our minds.

15   The lack of movement tracking is

16   probably very limiting depending upon the type

17   of disease. This limitation could prevent

18   adequate disease containment. But again, you

19   can't track physical movement with this type

20   of physical ID system. It requires an RFID in

21   our opinion.

22   One of the problems with the

 1   classification levels that we saw is if a

 2   state doesn't contain smaller than their state

 3   boundaries, they could still be a class 1.

 4   So, a state that can get to an individual

 5   premise or a county versus a state that says,

 6   I can track it to my state, they're still a

 7   level 1. Seems to be a lot of latitude there.

 8   One of the questions we asked

 9   ourselves is if a state is at a level 3, how

10   does a state get from a level 3 to 2 or to 1

11   without harming the producers? Basically,

12   what's going to happen? States that are not

13   level 3, that are level 1 are going to say I'm

14   not going to accept cattle from the level 3

15   state. That's going to hurt the producers.

16   So, that's a question in our minds. And

17   again, that was one of our comments was

18   probably the receiving states would not accept

19   from level 3 states is how that would happen.

20   But again, it falls on the producer's expense.

21   That's all the comments I

22   recorded. Anything else?

1   PARTICIPANT: My question with

2   regard to evaluating traceability is whether

3   we need to evaluate traceability when what we

4   really want to measure is disease. And I was

5   just questioning a measurement system that

6   doesn't actually measure what we care about,

7   which is disease eradication or prevention,

8   and encouraging that some account be taken of

9   whether a state is actually effective. For

10   example, we were talking about Michigan which

11   has a problem with disease but would probably

12   be traceability status 1. And so, does

13   traceability tell us something when what we're

14   really concerned about is disease?

15   MS. MILLIS: Thank you. Were

16   there any other comments from your table?

17   PARTICIPANT: Not that can be

18   printed.

19   (Laughter.)

20   MS. MILLIS: Even if they can't be

21   printed, if you have a comment and you want to

22   make it today, we want to be sure that it's on

1   the record if you want it on there.

2   Okay. Next, let's go back to this

3   table.

4   PARTICIPANT: Our comments are a

5   lot like the previous comments here.

6   Additional requirements for movement of

7   livestock discourages producer participation.

8   So, if you discourage animals going back and

9   forth between states, it ultimately hurts the

10   person at the farm gate and discourages

11   participation in this type of a program. What

12   we need to do is encourage compliance without

13   adding too many costs at the farm level.

14   And then the point was raised that

15   a state or a business that adds incentives to

16   trace back can add value. And the key

17   question is how do you recover that value?

18   So, a state or a business that, because of

19   being able to provide the ID and the trace-

20   back, hopefully creates a value for someone,

21   and how do we get some of that value back to

22   the farm gate is the answer that we didn't

1   come up with.

2   MS. MILLIS: Thank you. Is there

3   any other comment at your table that anyone

4   wanted to make?

5   (No response.)

6   MS. MILLIS: All right. Let's go

7   to the center here.

8   PARTICIPANT: We also had the

9   question raised as to why measure a tool

10   instead of measuring disease. Example was

11   given of pseudorabies that was traced without

12   all this what you're talking about. Another

13   person also brought up an example of an

14   Alabama cow that they were not able to trace.

15   I guess the question I would have is you're

16   always going to have something somewhere that

17   you're not going to able to trace due to human

18   error.

19   The focus, it was stated that the

20   focus of this is international trade. A

21   question regarding the states and their

22   sovereignty, it was stated the states are

 1   responsible for what happens within their

 2   states. Another concern was that of origin.

 3   For example, we know that cattle coming from

 4   Mexico are infected with TB, so focus on the

 5   origin rather than the final finding out and

 6   then going back and back and back and back.

 7   MS. MILLIS: Thank you. And were

 8   there any other comments at your table?

 9   PARTICIPANT: I will have an

10   attempt at a point that got raised. In

11   addressing traceability status, while it's

12   good to look at the progress of implementing

13   such a tool, it is, as was pointed out in the

14   first presentation, simply a tool. It has

15   actually nothing to do with the endpoint which

16   is the disease status. Immediately, and I've

17   heard it at our table and I've, I'm sure I'll

18   hear it elsewhere, as soon as you use the word

19   status, that's immediately conjuring up the

20   image of disease status for anybody that has

21   been dealing with programs before, from the

22   industry up.

1   The suggestion is: change that

2   terminology. Do not use the word status

3   because immediately everybody will get the

4   illusion that you're talking about the status

5   of disease. This is a tool, this has got

6   nothing to do with actual disease status.

7   How one measures that and the

8   application I also bring into question. You

9   can be perfect at some type of tool or

10   utilization of that tool but the question is

11   how are you going to then measure how well

12   it's adapted to its endpoint, making a

13   connection between how well you've implemented

14   the tool and the actual endpoint, the disease

15   status if you want. I doubt whether it's been

16   thought through or at least discussed

17   adequately.

18   MS. MILLIS: So, in your

19   discussion as you talked about using a

20   different term other than status, were there

21   any ideas discussed at your table about what

22   a term might be that could be meaningful?

1   PARTICIPANT: About the only thing

2   I came up with was progress of implementation.

3   MS. MILLIS: Thank you.

4   PARTICIPANT: But there wasn't a

5   great deal of discussion on, I'm sure there

6   are better terms than that.

7   MS. MILLIS: All right, thank you.

8   Any other comments from that table?

9   (No response.)

10   MS. MILLIS: Okay, I want to just

11   go back there maybe.

12   MR. MELAND: Ole Meland. We had

13   a, similar to some of the other discussions,

14   that the state might need some regulation or

15   some consideration for intrastate as well.

16   And so, the use of the proposed traceability

17   performance measures should be considered on

18   the intrastate, maybe as a demonstration of

19   the traceability capabilities within the state

20   and not just interstate.

21   Also, the question was raised, if

22   the metal tags are official tags and a

1   producer is given those tags, what

2   accountability would be required of the

3   producer? What happens if the producer

4   couldn't account for all of the tags?

5   It's not clear to us what

6   constitutes status 1 or status 3 and how many

7   of those performance criteria would justify

8   you to be in either status 1, 2 or 3. How

9   will a status affect the producers if they

10   change from 1, 2 or 3?

11   And then a second of the second

12   question was, what is industry doing to help

13   the state? And we have several industry

14   programs that contribute to using official ID

15   for them to participate in and a lot of the

16   industry programs such as genetic SAR

17   evaluation programs.

18   MS. MILLIS: Thank you. Were

19   there any other comments at that table?

20   Anyone?

21   (No response.)

22   MS. MILLIS: Okay. We'll go up to

 1   this table next then.

 2   PARTICIPANT: If you don't mind,

 3   I'm still going to just sit here for a bit

 4   because of some complications. We had several

 5   of the same discussions as the other tables.

 6   A couple of things. We feel

 7   strongly at this table that all species should

 8   be treated equally and keep everything on a

 9   level playing field.

10   One thing we're very concerned

11   about especially is the fact that a few

12   percentage of the people that do things wrong

13   within the state can affect another

14   operation's monetary income that do things

15   right. Because when you look at how varying

16   in the marketing of all species, whether it be

17   hogs, cattle or whatever, I speak from cattle

18   experience, one person may never ever move an

19   animal interstate and the next place may move

20   80 percent of their cattle interstate.

21   So, when you talk about leveling

22   penalties or when you talk about incentives

 1   and what have you, it's very difficult to

 2   figure an equal equation out in that system.

 3   The other thing that was brought

 4   up as a possibility of how do you level a

 5   penalty that gets home to the person that

 6   actually may do it, that may be causing the

 7   problem or an entity, is that if there is an

 8   issue, a disease came out, and the only thing

 9   we could come up with was if the person is

10   noncompliant, no federal indemnity payment for

11   that person.

12   Anything else at the table?

13   MS. MILLIS: Thank you. Do we

14   have another comment at that table?

15   PARTICIPANT: First off, I agree

16   with what Spence said. The rest of what I'm

17   going to say is going to sound particularly

18   odd coming from me especially if you live in

19   Michigan or Minnesota or work for Veterinary

20   Services, being the state with the most

21   restrictive requirements. And it supports

22   what the table said here and I just want to

 1   reinforce it.

 2   On the one hand, we're moving away

 3   from disease status and the impacts across an

 4   entire state. If you live in far northwestern

 5   Minnesota, if you live in southeastern

 6   Minnesota, your whole state is classified the

 7   same way. If you live 50 miles west of there

 8   in North Dakota, there is no impact on you.

 9   So, while we're looking at that and we're

10   recognizing the problems with the U.P. in

11   Michigan or trying to, whether or not we do it

12   here in Wisconsin or not, I'm not going that

13   far, but at the same time we're creating a

14   brand new program that includes state statuses

15   in it which would potentially impact everybody

16   in the state the same way.

17   MS. MILLIS: Thank you. Any other

18   comments at that table? Well, then, we'll go

19   back to the next one.

20   PARTICIPANT: Okay. Well, we

21   spoke a bit about the issues, bringing

22   animals, again, crossing state lines, to

1   different slaughter facilities depending upon

2   what that state puts in place to meet the

3   requirements. And you know, those

4   requirements could be different in different

5   states because of the way it is. And so, that

6   could have a very different impact on

7   different size producers, especially small

8   producers depending upon how they choose to

9   implement these levels and what risk that they

10 perceive there is to others or to their

11 industries.

12   And one of the things that we

13 spoke about was that this was a, these

14 compliance issues are a state, this is about

15 the state meeting the requirements and their

16 programs, not about the liability of the

17 individuals. Because we're not going after

18 somebody and saying, and I'm going to

19 extrapolate in a minute so somebody can stop

20 me, but this is not going after somebody and

21 saying you had a disease on your final work.

22 We're going to fine you or penalize you for

1   that. That's not what it's about.

2   It's about, are we creating the

3   traceability system to simply be able to trace

4   it and not about fining the individual person.

5   So, I'm just, you know, kind of was thinking

6   about that.

7   But anyway, that was, I was just

8   going off this last thing. I just wanted to

9   just kind of talk about that it was about the

10   state, the state making the requirements and

11   then of course about us following them.

12   MS. MILLIS: Thank you. Were

13   there any other comments at that table?

14   (No response.)

15   MS. MILLIS: All right. Then we'll

16   go here to the center.

17   PARTICIPANT: I'm going to speak

18   for our table but I invite any member to

19   please go in if I don't cover the different

20   variety of things that we did talk about.

21   We had a discussion and really got

22   into some deep policy issues and I had to

1   laugh when the very last comment was the

2   simpler the better, the clearer the more

3   likely it will be implemented. And I think

4   that was where we were coming to in the end,

5   that there are a lot of complicating factors

6   here but if we can try and do something like

7   this that will lay out four criteria that we

8   try and meet, the better.

9   There was an interesting

10   discussion about sometimes when you try and

11   put a measure in place to do something, a

12   larger percentage of things quicker, there

13   could be other implications of that that get

14   worse. I once went into a measurement course

15   where they gave this example of a bunch of

16   administrative folks who were asked to process

17   a lot more documents a lot more quickly and

18   they were able to do that. But in going back,

19   they didn't do them as accurately as they had

20   done before.

21   So, the example that was given

22   here, for instance, was some states start to

 1   put in place RFID readers and trying to do it

 2   quickly and meet these goals, and yet there

 3   has been some new science that's coming out

 4   about, it's hard to dispose of that kind of

 5   technology as opposed to the metal tags. Some

 6   people with health situations, pacemakers and

 7   things, can't get near or operate RFID tags.

 8   So, we just wanted to make sure that whatever

 9   we're putting in place to meet these goals

10   we're also not creating other problems in

11   other places. That came up at our table.

12   Another thing we talked about was

13   the traceability unit and how that's going to

14   get defined in order to meet these standards.

15   It was interesting to go back in our morning

16   discussion, there had been this sense at the

17   table that, gee, obviously we have to put the

18   traceability unit as low down as we can, e.g.,

19   to the premises, so that those of us who are

20   good producers and feel really safe about our

21   animals won't have to be impacted if someone

22   in other place in the county is having a

1   problem. But then when we started looking at

2   these measures and people at the table were

3   saying, gee, you know, it would be easier just

4   to put the traceability unit at the county or

5   state level so that we won't get impacted,

6   we'll be able to meet them and then we won't

7   have to get this level 3 status because we can

8   meet them a lot easier than if we put it

9   lower. So, the two things are in

10   juxtaposition to each other which was kind of

11   an interesting dilemma that our table was

12   realizing.

13   Similarly, we had the same concern

14   as our fellow table over here at our table

15   about the state possibly failing because of

16   some producers and the whole issue of having

17   to still address, even if we say these are

18   good, how industry will work with the state to

19   understand the measures, to help the state to

20   be in compliance.

21   We had a discussion about the wide

22   variety of differences that are among

1   different parts of our country, in states, the

2   west and their industry, the east, where we

3   are here in town. Even though these sound

4   good and everybody is going to have to adhere

5   to the same timeframe and the same, you know,

6   expectations, that it might be nice somehow or

7   another to have some acknowledgment through

8   the way that the plans are set up of the

9   different economics and geography and industry

10   situations in different states that are

11   expected to meet this. And if they can make

12   progress given those different criteria, it

13   might be a little bit different or unique for

14   one state and that might come into the

15   factoring somebody into this level 2 because

16   of the certain situation of their economics or

17   geography.

18   MS. MILLIS: Any other comments

19   from that table? Thank you.

20   DR. SCHULTZ: Yes, this is Lynn

21   Schultz. One of the things we talked about

22   briefly was, as you look at the traceability

1   status descriptions on page 5, under number 2

2   it says APHIS will reevaluate the state or

3   tribe upon request of state or tribal animal

4   health officials. Before that, it says the

5   state or tribe implements corrective action

6   and will be reevaluated within one year. So,

7   there's a question there as far as who is

8   training who.

9   How many people is APHIS going to

10   have if you have folks that want to go from a

11   status 3 to a status 2, status 2 to a status

12   1? And is this going to be by species or how

13   is this going to work? That's a whole

14   business in itself as far as trying to build

15   up the funds to justify that. And if we have

16   someone that sells day-old ducklings let's say

17   from Wisconsin, that show up with salmonella

18   at some other state, is that going to shoot

19   Wisconsin's traceability status from 1 back

20   down to 3 because that happened?

21   MS. MILLIS: Any other comments

22   from your table? Then we'll go back -- oh,

1   you have one more comment?

2   PARTICIPANT: One more comment.

3   MS. MILLIS: Sure.

4   PARTICIPANT: And it's been

5   brought up here with one state and they

6   implement restrictions against another state,

7   and if it's not something that's viable, if

8   there's an actual disease like TB, you're

9   going to get into restraint and trade issues.

10   The states don't have that authority. That's

11   held to the Federal Government on interstate

12   trade.

13   MS. MILLIS: Thank you. Any other

14   comments from that table? We'll go back

15   behind you, Robert. Well, okay, we'll go

16   right there.

17   MR. McKENNA: Tom McKenna. I'd

18   say in general the group supported the concept

19   of status, traceability status. And in

20   response to some of the other tables, it

21   doesn't rule out having disease status

22   criteria also. And maybe you do change the

 1   name, like David said, so it doesn't have some

 2   negative connotation, but the idea is can the

 3   state do trace-backs or not when the time

 4   comes?

 5   We had conversations about

 6   regionalizing the states rather than the all

 7   or nothing like Bob was saying, although that

 8   increases the complexity of regulating who

 9   gets what status if USDA is going to be doing

10   tracing proficiency testing kind of, that's

11   going to take a certain amount of person

12   power. And if you're trying to subdivide

13   states, that increases it geometrically.

14   We also had a conversation about

15   the actions of a few impacting the ability to

16   do business of the many. And I'm pretty sure

17   Terry's table was listening in on our

18   conversation on that. But it's hard to get

19   people to sign on board when they're going to

20   be potentially penalized for something that's

21   completely out of their control or, you know,

22   okay, we support this and then, you know, that

 1   other group made it so I can't do business.

 2   That is going to make it a little bit of a

 3   harder sell.

 4   We talked about just getting the

 5   industry comfortable with collection of

 6   carcass information, educate producers as to

 7   why and how this particular system would

 8   benefit them. Education needs to be in bite-

 9   size chunks instead of the old "drink from the

10   fire hydrant" kind of thing.

11   And then we were just, we were

12   getting into the benefits of if you're going

13   to actually meet the timeline criteria, two

14   days 95 percent, you can't do it manually. I

15   think that just is not realistic. So, you

16   know, that just talks about the benefits of e-

17   certificates, electronic searchable databases,

18   and having those implemented across all

19   states. And, you know, you end up going to

20   have people put brite tag numbers in the

21   databases or how are you going to do that?

22   You can't have boxes of paper and meet the

1 requirements.

2   And so, finally, you know, we just

3 said that, you know, we've got to look for

4 incentives to move producers to the electronic

5 tag so that if our criteria is going to be two

6 days, if that's what we're after, it's got to

7 be realistic in the system that's implemented

8 in. And I understand USDA doesn't want to

9 shove a specific system down any one state or

10 producer's throat. I think that if the goals

11 are unreachable by older technology, then

12 you've got to find a way to, you've got to

13 have incentives to make the new technology

14 adapted by the people using it.

15   MS. MILLIS: Thank you. Are there

16 any other comments from that table?

17   PARTICIPANT: I just wanted to

18 make a brief suggestion. It was brought up

19 that we're focusing on the tools rather than

20 the disease itself. And I've just always

21 found that in anything you do, the quality of

22 the tools that you're using has a direct

1   impact on the results that you're going to

2   have. So, in other words, if we have good

3   tools to trace the disease, we should be able

4   to isolate the problem more easily and

5   effectively deal with it.

6   MS. MILLIS: Thank you. Any other

7   comments at that table?

8   (No response.)

9   MS. MILLIS: All right, thanks.

10   And then the next table?

11   MR. CABRERA: Thank you. Hello,

12   I'm R.J. Cabrera and I'm reporting back for

13   our table. We start out with the fact that

14   the process is good. I'm going to sit down

15   and read it because my notes are all over the

16   place. The process as proposed is good and

17   makes a great deal of sense. The report card

18   is good as is.

19   But timeframe is still ambitious.

20   And in terms of implementation, the RFID tag,

21   the electronic tag is the way to go and metal

22   tag is not, particularly with larger herds.

 1   Tag readability is ineffective and speed of

 2   market would be compromised. Inaccuracy and

 3   discrepancies in handling, manually handing a

 4   tag is not the way to go. Human error is just

 5   too significant.

 6   We talked about the same issues

 7   with showcasing animals as well with human

 8   errors.

 9   In the second bullet point, we

10   began a discussion with who is industry. I

11   think we all agreed that industry is anybody

12   with a stake, particularly financial stakes.

13   Cost is an issue, it always was an issue, it

14   will be an issue. But it will either be an

15   up-front cost or residual cost, or compared

16   with the inefficiencies, or efficiencies

17   rather, that bear out in using an electronic

18   tag system.

19   Speed of commerce we thought

20   initially would drive the choice, but it's

21   basically just a factor in this choice.

22   There is some support at our table

 1   for a mandate versus the voluntary system

 2   before an outbreak occurs. And I think there

 3   is a gentleman here who traveled overseas and

 4   have spoken with some of our European

 5   neighbors and talked about their experiences

 6   in the wake of an outbreak.

 7   And then, finally, we didn't have

 8   much time for the third bullet but we agreed

 9   that additional requirements might be

10   sanction-light. They have to have teeth. And

11   failure to comply must have or will have

12   financial ramifications. Anything else from

13   our table?

14   MS. MILLIS: Thank you. Is there

15   any other comment from that table?

16   (No response.)

17   MS. MILLIS: I think we have one

18   final table. If I've locked anybody out, be

19   sure and hail me.

20   MR. WATERS: Okay. Rick Waters

21   here again. Again, we talked about both the

22   performance standards and the status scale.

 1   One, we were having a hard time trying to

 2   figure out why there's a level 1. If there's

 3   a level 3, then you can just sit at level 3.

 4   There is nothing said about how you move from

 5   level 3 to 2 and how long you could sit there.

 6   So, does it need to become a pass/fail type

 7   system?

 8   A little bit of the -- status 2 is

 9   a gray area. We didn't really understand what

10   that was trying to do. And does it mean if

11   you don't pass performance standard 1 you're

12   automatically a level 3, but if you miss 2 or

13   3 then you're a 2? And so on, you know, how

14   does that work? And I think we need more

15   incentive if we're going to follow this to get

16   to level 1. Why do we want to be at level 1

17   versus a 2 as a state?

18   When we look at the standards, it

19   talks about the initial values and future

20   values of 'in five business days' or 'seven

21   business days.' If we have an outbreak of a

22   disease on a Friday and it's supposed to be in

 1   three business days, that's now Tuesday. Is

 2   that what we want?

 3   Also, after phase 2 comes in, the

 4   furthest down I've seen is three business

 5   days. Is that where we're going to stop after

 6   we can account for 95 percent of animals in

 7   three business days in the future? Or 72

 8   hours, however you want to look at it, is that

 9   going to be sufficient? Or do we need to

10   lower that down even more and get it down to

11   24 hours and so on?

12   With all the species talk, we keep

13   hearing that beef and dairy are lumped into

14   one. They are separate groups. The

15   production unit that's sold is separate. They

16   need to be separated out because how do we

17   come into the state of Texas where a dairy

18   farmer may have a cow with TB and now we're

19   going to shut down the beef producers there?

20   So, I think there needs to be some more

21   separation there if we're going to follow this

22   system.

 1   And then, finally, to reiterate

 2   what was said over here, we've got to use

 3   technology. We've got to go automation, RFID.

 4   We can do things with the internet, with smart

 5   phones, with reading UPC codes on the farms

 6   and get this into a system where if something

 7   happens we can trace it back within hours.

 8   MS. MILLIS: Thank you. Are there

 9   any further comments at that table? Anyone?

10   (No response.)

11   MS. MILLIS: Thank you, everyone,

12   for discussing those issues at your table. We

13   gave you an opportunity earlier to write down

14   some questions on a sheet like this. If you

15   haven't taken the time to do that, we still

16   have a few of these.

17   Neil, I'm going to ask you to kick

18   this question and answer part off. That mic

19   is on. Now, if questions come up or there's

20   other dialogue, please wait until we get over

21   to you with a microphone and we'll do our best

22   to get one to you. But Neil, the floor is

1   yours right now.

2   MR. HAMMERSCHMIDT: Okay. Thanks,

3   Deb. Slide number 18 in Dr. Marsh's

4   presentation has a question, it regards to the

5   discussion of the working group to prohibit

6   the addition or the application of additional

7   official tags on the same animal, specifically

8   the case where additional brite tags or the

9   silver tag are added the second or third time

10   to the same animal. The intention is to

11   restrict that practice to the degree possible.

12   The question really is, could you add an RFID

13   tag to an animal that's already tagged with a,

14   quote, "silver brite tag"?

15   The intentions of the working

16   group is yes, in that to increase the

17   readability, the automated data capture of

18   that official ID. Adding an RFID tag would be

19   allowable in the way the working group is

20   formatting. The intent of that is to stop

21   adding the second, third, fourth silver tag on

22   the same animal, but certainly allowing the

1   opportunity to add a tag with an automated

2   data capture technology.

3   (Off-mic question.)

4   MS. MILLIS: Could I ask you to

5   repeat that question?

6   PARTICIPANT: Would you like me to

7   use a microphone, too? For our industry,

8   Texas won't take an animal, so if we have an

9   animal with two tags, one was a brite tag and

10   one was a dangle, we have to put an RFID tag

11   on an 800 number tag or they won't allow it in

12   the state. So, it's a requirement there.

13   MR. HAMMERSCHMIDT: To have an

14   RFID tag or an 840 tag?

15   PARTICIPANT: It's an 800 RFID tag

16   is the way I understand it.

17   MR. HAMMERSCHMIDT: And I'm

18   looking at Dr. Clifford to see if we want to

19   get into the preemption discussion where

20   basically it's the intent of this regulation

21   to have all states uniformly accept what's

22   defined as official ID across the entire

1   country to avoid confusion about what a state

2   accepts or not accepts for recognition of

3   official ID. John?

4   DR. CLIFFORD: I think you've

5   opened the --

6   MR. HAMMERSCHMIDT: Would you like

7   to?

8   DR. CLIFFORD: Yes, sure. Let me

9   just use this one. With regards to federal

10   preemption, and I think it was even raised

11   over here by the gentleman about, you know,

12   the Federal Government having the authority

13   for interstate movement.

14   We basically, under a Presidential

15   directive, we now have to, when we write

16   rules, we have to specify whether we intend to

17   use federal preemption authority and give a

18   basis for that.

19   So, our current thinking on this

20   particular rule with regards to federal

21   preemption, and we have indicated this to the

22   states and tribes, is that we would intend to

1   preempt if a state was to request that animals

2   moving into their state would require a

3   specific ID tag like RFID. We would also

4   preempt if a state was to expect that the

5   animal move with a premises identification

6   number. We would not preempt if a state

7   wanted to go ahead, for example, and require

8   all classes of livestock such as feeders to be

9   identified entering that state.

10   So those are the only three

11   examples we've used. So I just wanted to make

12   sure everybody understands what I just said.

13   So as long as an animal moves interstate with

14   official identification, they would be allowed

15   under federal rules to go to any state with

16   that official ID. It doesn't matter if it's

17   RFID, it doesn't matter if it's a metal eartag

18   or a bangle tag that's official. Whatever the

19   device is, as long as it's official, the state

20   would be required under our rules to accept

21   it. The state could not require it to come

22   from a premises that has been registered as

1   well.

2   That's what we would preempt in

3   the rule, okay? We would not preempt the

4   state and there may be other issues, we would

5   not preempt the state from saying that all

6   animals entering our state have to be

7   identified. That's our current thinking.

8   MS. MILLIS: Hold on. Let me get

9   this to you please. Excuse me, sir.

10   PARTICIPANT: So, if any animal

11   can come into a state and not be required to

12   have that state's identification how is that

13   state able to trace that animal through the

14   state then?

15   DR. CLIFFORD: So, when the animal

16   enters a state on an Interstate Certificate of

17   Veterinary Inspection, it will have an

18   official ID and they will know where the

19   location that animal arrived. If the state

20   has a specific requirement for animals in

21   their state, the state at that time could

22   apply their state requirements once it's

 1   arrived at its destination. I think there's -

 2   - Deb?

 3   PARTICIPANT: You said that this,

 4   the thing with the tags and the RFID, that

 5   represents your current thinking. How likely

 6   are you to change your mind? And when are we

 7   going to have something in writing?

 8   DR. CLIFFORD: Well, when it would

 9   be in writing would be in the proposed rule.

10   I say current thinking because we're open to

11   comment period, and I cannot say that my

12   decision is final on that. Frankly, it's

13   going to be based on input and based on what

14   makes the best sense from an animal health

15   standpoint and traceability standpoint, from

16   the producer standpoint and the state

17   standpoint. So, we've got to take all those

18   factors into consideration before we make a

19   final decision. But that is our current

20   thinking.

21   And the reason that's our current

22   thinking, and we've expressed this to the

 1   states and tribes, if we allow the state to

 2   apply those requirements on another state,

 3   basically the state with the highest standard,

 4   so let's say a state requires everything to

 5   move to have premises identification and RFID,

 6   eventually if that, a large importing state,

 7   they're going to force the rest of the country

 8   because of the commerce issue to comply with

 9   their requirements. That's why we're looking

10   at preempting that.

11   MR. HAMMERSCHMIDT: Thanks, John.

12   Dr. Schultz, I think it's from Dr. Schultz

13   because you signed your name in regards to the

14   question about how bulls are identified coming

15   into a bull stead through NAAB, National

16   Association of Animal Breeders. He indicated

17   earlier that there is a lot of ID on those

18   animals, basically asking if those methods of

19   identification will suffice on our new

20   framework. I think the way he described it

21   earlier in my understanding on how AI bulls

22   are identified, they far exceed our

1   requirement for official ID.

2   But the key would be that

3   regardless of all the NAAB identifiers and

4   such, that if the animal, if the bull crosses

5   a state line that it has an official ear tag

6   if it's a, you know, if it's a bull, that

7   would suffice. But the way you explained it,

8   it appears all your animals coming into the

9   bull stead have at least one official ID. And

10   so, whatever additional identifiers you place

11   on those animals is certainly at your

12   prerogative. But the key would be at least

13   one official identifier. In the case of

14   cattle, that's an official ear tag based on

15   one of the official numbering systems. So,

16   again, I think you far exceed what we're

17   looking at in the traceability framework.

18   In regards to some of the funding

19   questions, where and what funding will USDA

20   provide for this proposal? Are any monies

21   included in the budget appropriation? Is the

22   goal still -- let me just leave it on the cost

 1   because I know Dr. Clifford wants to answer

 2   that one as well. How much money is this

 3   going to cost? How much will the states have

 4   to pay for their area of responsibility? So,

 5   really another question on general cost of

 6   this traceability framework.

 7   DR. CLIFFORD: So, we've asked in

 8   2011, actually not we, the President, in the

 9   President's 2011 budget to Congress, the

10   President's budget requested $14.1 million for

11   the beginning of this program. We do not

12   anticipate that that would be the final number

13   obviously. And we are going to have to work

14   with the states but we still are yet, we're

15   probably two years out before we can publish

16   a final rule or close to that. And so, once

17   we publish a final rule, then we'll be

18   expecting full implementation.

19   As a part of those dollar amounts,

20   we're looking to purchase the metal tag for

21   producers free of charge. So, that's part of

22   that request. So, we'll be working to develop

1   a more, a fuller knowledge of what the budget

2   may or may not cost. I can tell you based on

3   the other cost estimates though of our

4   previous program for the NAIS system, it was,

5   and this won't even come close to this, but

6   that system overall was looking, I believe, in

7   the neighborhood of around $200 million per

8   year. This system won't even come close to

9   that.

10   So, we would, I can tell you we're

11   not going to get funding at that level. We

12   recognize the budget issues that we face in

13   this country and the debt, but at the same

14   time the Secretary indicated that we're not

15   going to hand this off to the states as an

16   unfunded mandate.

17   PARTICIPANT: Yes, but my question

18   is is that you say we spent how much on NAIS?

19   DR. CLIFFORD: The exact dollar

20   amount for NAIS was, what was it, Neil? How

21   much was NAIS did we spend? 138? $138

22   million for NAIS.

1   PARTICIPANT: And how much is this

2   program?

3   DR. CLIFFORD: Right now we

4   requested $14.1 million for one year.

5   PARTICIPANT: And we haven't even

6   reconciled NAIS. There's people who disagree

7   with it.

8   DR. CLIFFORD: Well, when you say

9   --

10   PARTICIPANT: But we're moving on

11   to spend more?

12   DR. CLIFFORD: And we need a

13   traceability program.

14   PARTICIPANT: Right, well, I still

15   asked the question that there was a case in

16   the Emmanuel Miller where they say it was, the

17   judge said there was no benefit.

18   DR. CLIFFORD: I believe that

19   case, and as I indicated to you, has to do

20   with premises registration, does it not? Our

21   program does not require premises

22   registration. And in fact, our program is

1   built upon many, many years of successful

2   disease eradication program such as

3   brucellosis, TB, as Dr. Marsh stated very,

4   very well.

5   This program that we're proposing

6   is nothing more than what we already have

7   today except it's a system of standardization.

8   So, those rules have not been challenged in a

9   court of law.

10   PARTICIPANT: So, are you telling

11   me that we are just going to forget about

12   NAIS? Is that what you're telling me?

13   DR. CLIFFORD: I'm telling you

14   that NAIS in a sense is gone from the

15   standpoint of national implementation. Some

16   of the components of NAIS still exist because

17   we're not going to throw them away. Producers

18   and states that want to use some of that

19   infrastructure that was built will still have

20   the availability and option to use that if

21   they so desire.

22   PARTICIPANT: Thank you.

1   MR. HAMMERSCHMIDT: There are some

2   technical questions -- go ahead, John.

3   DR. CLIFFORD: Just let me add,

4   too, there's over 400,000 producers that

5   entered into that program, who were part of

6   that program. And many of those producers

7   want to retain that. So, we're going to

8   retain that program for those producers as

9   well as any state that wants to use it from

10   the standpoint of the databases and that part.

11   PARTICIPANT: And in the dairy

12   operation that was made mandatory or you did

13   not have a state -- places. So, if that's not

14   courage, then what is?

15   DR. CLIFFORD: That's a state

16   decision.

17   MR. HAMMERSCHMIDT: There are some

18   technical questions and I know the gentleman

19   that offered these questions had the

20   opportunity to talk to John Picanzo and so we

21   won't go through them. But he talked, for

22   example, on will there be data standards for

1   encapsulating the different identification

2   numbers. He explained to me what that meant

3   and we won't go into it because it's a very

4   technical question. But having seen the

5   question and some of the comments earlier

6   about data standards and things like that,

7   I've heard several times today about 50

8   different systems. And I think it's important

9   to reaffirm that we're talking about the

10   utilization of data standards to ensure

11   compatibility of our systems, that they have

12   the ability to talk and communicate, that to

13   achieve compatibility you don't have to have

14   50 identical systems but you can have 50

15   state-maintained systems that are compatible

16   that work at the local discretion of their

17   producers.

18   So, we're not walking away from

19   compatibility. There is a tradeoff and you

20   can still achieve flexibility and have

21   compatibility. It's not one or the other,

22   okay? So, I think that's the important point

1   about the standardization.

2   Another question on the same page

3   was I think a very important one and I'm going

4   to throw this one to Dr. Marsh representing

5   the working group. What additional input is

6   needed by the working group?

7   DR. MARSH: Well, that's a great

8   question. And frankly, based on the

9   conversations I've heard today and the meeting

10   that will take place in Atlanta and another

11   one at the end of this week, or next week

12   actually in Washington State, this is the kind

13   of feedback we're looking for. This is the

14   kind of information we need in order to move

15   forward.

16   We've been working as a group for

17   the last several months, some have been on it

18   longer than I have even working through this

19   process. So, if there are specific things, as

20   I mentioned during my talk I always think of

21   my best question on the way home, so if you

22   have questions of me, I'm of course in Indiana

1 at the Board of Animal Health, if you have

2 things that you'd like to offer into the

3 system, I'm happy to receive that. There will

4 be working group members at the other two

5 meetings.

6   But as this process moves forward,

7 we welcome this input and I've been taking

8 some notes of mine as well as what the

9 recorder is taking. So, thanks for the input.

10 I think we're receiving it.

11   MR. HAMMERSCHMIDT: Very good,

12 thank you. When animals move interstate and

13 they're not -- please, I'm sorry.

14   PARTICIPANT: A lot of the program

15 here is talking about standardization. You

16 just spoke to that. However, you're leaving

17 in my mind one big gaping hole, and that is

18 you're saying it's up to each state to define

19 what a traceability unit is. How are you

20 going to have standardization when you've got

21 50 different states, and define it 50

22 different ways?

1   MR. HAMMERSCHMIDT: Again, the

2   traceability unit gives the states the

3   opportunity to trace to the level that they

4   feel appropriate for their area. And we're

5   working in regards to that with their

6   producers to make sure that they have the

7   support and buy-in from that. That's one of

8   the opportunities that the framework allows

9   for that puts again that type of

10   responsibility at the state level. How they

11   achieve that, to what level, is their choice,

12   their decision.

13   But when we talk about data

14   standards, official identification, when

15   animals leave that state regardless of their

16   traceability unit, you have that type of

17   standardization on animals that leave those

18   states destined for other states in the

19   country.

20   John, would you like to add

21   anything more in that regards?

22   DR. CLIFFORD: I would just say,

1   you know, from the federal rule, this is,

2   there needs to be recognition. This isn't a

3   state rule. This is a federal rule. Our

4   authority comes from interstate movement,

5   okay, so there is standardization here with

6   regards to interstate movement. What we're

7   saying is: is what a state does is up to the

8   state internally with movement within the

9   state. And that includes both the

10   traceability unit as well.

11   We're not saying all 50 states are

12   going to do everything the same way within

13   their states. They don't today.

14   MR. HAMMERSCHMIDT: Very good.

15   Another question about ICVI's and the question

16   really pertains to the use of electronic

17   ICVI's. Certainly there are currently options

18   opportunities to utilize electronic ICVI's.

19   The utilization of those is really at a low

20   percentage right now but I think as we look at

21   the future of our traceability efforts and

22   even the performance standards, a higher

 1   utilization of electronic ICVI's really

 2   increases our retrieval time to pull those

 3   records. And I think from the discussions

 4   we've had with the states, the interest in

 5   having those records in a searchable database

 6   is certainly very strongly supported. And

 7   that's why there is support in unifying those

 8   so that they actually can be, even if they're

 9   not initiated in electronic formats, stored in

10   electronic format but also making them more

11   widely used as an opportunity to support

12   timely retrieval of records.

13   How will slaughter facilities

14   enter collected tags? What system is proposed

15   to use? Again, what we're wanting first and

16   foremost to achieve is the collection of those

17   tags so that if we go to that extreme or that

18   extent of actually retiring the numbers, that

19   we have the tags first collected so they can

20   be retired. To what degree across the board

21   those tags or those numbers are actually

22   entered into a database and actually retired

 1   is yet to be determined. But that's where we

 2   want to start as far as making sure that we

 3   have that opportunity.

 4   There is another question from

 5   another gentleman about a reference was made

 6   to retiring tags. Australia currently has

 7   thousands of missing animals in their system

 8   and their system is overwhelmed. What will be

 9   done to avoid a catastrophe like this?

10   Again, we're not implementing the

11   Australian system which is based entirely on

12   RFID tag retirement recording, full

13   traceability, all the movements, the premises

14   the animal moves on, it's a much more basic

15   approach to a bookend system. And as I stated

16   earlier, we certainly want the opportunity to

17   retire that number when the animal is

18   slaughtered so we could have the opportunity

19   of taking that animal out of the population so

20   we would not be spending time looking for

21   those animals that have been removed if they

22   are part of the trace-back investigation.

1   There's another question in

2   regards to the makeup of the working group.

3   Again, John I think it's most appropriate, if

4   you don't mind, to respond to this question.

5   Why are there no private farmers included in

6   the traceability regulations working group?

7   DR. CLIFFORD: Thanks, Neil. With

8   regards to that particular working group, it's

9   made up of state and tribal animal health

10   officials. And under our rules of guidance

11   that we have to follow, if we have the private

12   sector present in those discussions, we can

13   have you present, but to do that it needs to

14   be collectively in this type of a situation

15   where we accept your comments. We cannot

16   bring you all to consensus.

17   So, what we were trying to do

18   there is to take the comments that we receive

19   from the public and have continuing

20   interaction with you all in the industry and

21   provide that feedback to the state and tribal

22   officials in hopes that they can come to

 1   agreement on how to approach this from their

 2   standpoint with the rule making. So, under

 3   those FACA rules, we cannot allow you all to

 4   be present there if they're coming to

 5   consensus and agreement on those things but we

 6   can provide your input to them.

 7   MR. HAMMERSCHMIDT: Thanks, John.

 8   Another question, would large corporate

 9   producers be required to tag each animal

10   individually? Emphasis guaranteed versus the

11   lot number of NAIS?

12   Again, when we look at the

13   opportunity for official ID, group lot

14   identification is a recognized method of

15   identification of animals that move through

16   the entire production chain as a group of

17   animals. It has nothing to do with the

18   ownership of those animals, or the size of

19   that group. Obviously group lot ID is most

20   common in the poultry sector, swine sector

21   where large lots of animals move from one

22   location to another.

1   But in cattle, for example, if a

2   group of fed cattle move through the entire

3   production chain as an entire group through

4   the birth premises, through fattening, those

5   animals would be eligible for group lot ID

6   regardless of the ownership of those animals.

7   So, it is applicable also in the cattle

8   industry but certainly probably not as widely

9   practiced if you will.

10   PARTICIPANT: So, if somebody has

11   50,000 cattle and two of them are sick and he

12   destroys them and privately buries them and

13   the other cattle may be exposed and they go to

14   slaughter a day later, how are you going to

15   trace the disease?

16   MR. HAMMERSCHMIDT: Again, you

17   know, I'm not sure what that has to do with

18   50,000 animals or one animal if you're putting

19   a slant on --

20   PARTICIPANT: In our table

21   discussions, I asked about that and I was

22   assured that each animal would be identified.

 1   The whole point of this, we keep getting told

 2   over and over again, is we have to know each

 3   animal. Now, and it doesn't matter if they're

 4   in a group and all this stuff, and all the

 5   scenarios made in favor of this were that

 6   well, a farmer might take 20 cows to the sale

 7   barn and they don't know which one. So, if a

 8   guy has 50,000 and he has some that he

 9   privately destroys, buries, shoot and shovel

10   kind of thing and all his other cattle are

11   exposed, why is, you know, I don't understand

12   this. Why, you argue from the lot, you know,

13   like the group that that's a bad thing and now

14   you're saying it's okay?

15   DR. CLIFFORD: We've always

16   accepted group lot identification. What the

17   issue is: is being able to identify and get

18   back to the source. So, if you take a

19   producer that has 20 animals, if those animals

20   stay together for their entire life and not

21   commingled with others and then sent to

22   slaughter, group lot is fine because we know

 1   who owned those animals through that process.

 2   But if you take 20 animals and you

 3   take them to a stock market and then they're

 4   split up into different groups, without

 5   individual identification you can no longer

 6   trace those animals back to that owner. You

 7   go back to multiple owners. That's why those

 8   animals have to have individual

 9   identification, where all those animals that

10   stay together from birth all the way through

11   the slaughter process have a group lot

12   identification and they're not mixed with

13   other animals.

14   Even at processing though they're

15   identified as a group that comes in there,

16   they're not mixed. They're paid based on that

17   group lot.

18   PARTICIPANT: Right. So, as long

19   as they're slaughtered together, that's the

20   end point you're talking about.

21   DR. CLIFFORD: That's the end

22   point.

1   PARTICIPANT: You can do lot

2   identification from start to finish as long as

3   the lot is slaughtered at the same point in

4   time.

5   DR. CLIFFORD: Yes. I mean --

6   PARTICIPANT: No matter how many

7   you have?

8   DR. CLIFFORD: Well, for that

9   matter, if you have 100 or 5,000 animals and

10   2,500 go to slaughter, and 2,500 go the next

11   month, they're still group lots. They don't

12   have, because they've never been mixed with

13   any other livestock.

14   PARTICIPANT: Right, the lot gets

15   divided into two.

16   DR. CLIFFORD: Right.

17   PARTICIPANT: Well, that would be

18   the same if you have 20 animals and you end up

19   with 10-10?

20   DR. CLIFFORD: Yes, exactly.

21   PARTICIPANT: Thank you.

22   MR. HAMMERSCHMIDT: Deb, I think

 1   this covers the questions. There are some

 2   other comments that we'll certainly pass on

 3   that were more statements versus questions.

 4   But I believe I've covered the questions. If

 5   I missed anybody's, I apologize.

 6   PARTICIPANT: We have a first

 7   statement over here.

 8   PARTICIPANT: I have a kind of

 9   question/statement in regards to the RFID

10   tags. And the question part of this is has

11   there been any consideration about the health

12   effects on the animals of the RFID tags? And

13   the reason I ask this question is because in

14   my experience when I was interning with our

15   local vet is that the RFID tags can cause like

16   fatty tumors, cancer cells. There's even been

17   stories of the actual RFID tags traveling if

18   they're not implanted correctly. Our vet in

19   particular was in a situation where she had to

20   remove an RFID tag from a dog in this case

21   that the RFID tag had traveled and if she

22   hadn't removed it, it would have continued to

1   travel into the brain and possibly could have

2   killed the animal.

3   So, that's just, I'm just

4   wondering what consideration has been brought

5   up about those effects on the animals since

6   this subject of the RFID tags seem to have

7   been pushed or promoted highly today.

8   MR. HAMMERSCHMIDT: Very good.

9   And of course you realize we're not

10   implementing RFID as the identification

11   method. Dr. Clifford has made it very clear

12   we're talking about a metal clipped ear tag

13   attachment for cattle. And when we look at

14   cattle specifically, the RFID tags that we're

15   working with are ear tag attachments, not an

16   injectable transponder.

17   We realize the equine industry

18   does use injectable transponders. I know

19   there has been papers, not papers but

20   references to those types of situations made.

21   I have not seen a scientific report

22   documenting that, so you know, I'm not going

1   to argue one way or another.

2   I know it's been an issue of

3   concern but when we look at the cattle

4   industry most specifically, RFID is the method

5   of applying the device as an ear tag. But

6   those types of problems obviously wouldn't be

7   an issue for cattle or others that we use ear

8   tags on.

9   MS. MILLIS: And we have a

10   question in the back, right back there.

11   PARTICIPANT: My question is also

12   health related. And I question that animals

13   are being subjected to these tags and

14   apparently the proper research on their safety

15   has not been done. And otherwise there would

16   be names of reports and stuff that we would

17   have. I think that those reports, scientific

18   reports need to be provided to people as to

19   safety for their animals.

20   MS. MILLIS: Thank you for your

21   comment, ma'am. Are there any other comments

22   or concerns or questions that anyone has

 1   before we close out the day? Anyone else?

 2   Let me remind you of a few things

 3   before I turn the floor back to Dr. Clifford.

 4   In your packs, you'll recall that you have

 5   several information resources for you and one

 6   is the Official Ear Tag: Criteria and

 7   Options, that paper on the Overview of the

 8   Current Thinking around the Traceability

 9   Framework. You have copies of the

10   presentations that you saw here today. And

11   you also have the name of the working group

12   members who are happy to receive your input

13   for any further discussion.

14   You also can go to the website for

15   traceability and give your feedback there.

16   Some people have indicated to us that they

17   didn't know about these meetings or wanted to

18   know more about these in the future. We have

19   a list out there where you can, if you want to

20   receive notification of these kinds of things,

21   you can leave your e-mail there or other ways

22   that we can contact you.

1   And I'll turn the floor back over

2   to you, Dr. Clifford, and you can remind

3   people of these meetings.

4   DR. CLIFFORD: Okay. Thanks, Deb.

5   So, the next meeting is August 20th in

6   Atlanta, Georgia, and then August 24th in

7   Pasco, Washington. I also wanted again to

8   thank all of you for your comments today and

9   your input for this. And all of your comments

10   will be taken into consideration as we go

11   forward. I wanted to personally thank the

12   APHIS team as well as Dr. Marsh and Dr.

13   Ehlenfeldt for coming and doing their work

14   here today as well as the producers for taking

15   you-all's time out of your-all's schedule

16   today as well. I want to thank basically all

17   of you for being here today.

18   Now, I also want to close with a

19   final comment. I understand that in a lot of

20   people's eyes we're government and we're

21   looking for regulation that's burdensome to

22   all of you. Most of us, or at least a number

 1   of us came from family farms. I came from a

 2   family farm myself. I was raised on a small

 3   farm in Kentucky. I have members of my

 4   family, they're still small farmers in

 5   Kentucky. And I can assure you, as your Chief

 6   Veterinary Officer, I care about small farms

 7   as well as large farms.

 8   We at Veterinary Services, and I

 9   know my state animal health counterparts, care

10   about the health of our nation's livestock

11   populations. We're not trying to be overly

12   burdensome. We're trying to be able to

13   effectively stop a number of diseases that are

14   oftentimes transmitted in this country. We're

15   looking and continue to look for new and

16   better ways of being less burdensome but still

17   being able to address those diseases. The

18   last thing that we want is for you all to be

19   out of business. Because if you're out of

20   business, there is no reason for any of us to

21   be present here.

22   So, we do care about your

1   viability and we care about your economics and

2   we appreciate your input and understanding.

3   Thank you very much.

4   (Whereupon the public meeting was

5   adjourned at 3:55 p.m.)

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