National Milk Producers Federation

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"Connecting Cows, Cooperatives, Capitol Hill, and Consumers"

December 9, 2011

Docket No. APHIS–2009–0091
Regulatory Analysis and Development
PPD, APHIS, Station 3A–03.8
4700 River Road Unit 118
Riverdale, MD 20737–1238.

Re: Traceability for Livestock Moving Interstate (Docket No. APHIS–2009–0091)

To whom it may concern:

The National Milk Producers Federation (NMPF) takes great interest in the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Traceability for Livestock Moving Interstate (Docket No. APHIS–2009–0091) proposal. The National Milk Producers Federation, based in Arlington, VA, develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF's 31 cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of more than 32,000 dairy producers on Capitol Hill and with government agencies.

The dairy industry has taken a strong proactive stance in advocating mandatory animal identification and disease traceability. In 2005, a coalition of six dairy organizations that serve many thousands of dairy farmers – the American Jersey Cattle Association, Holstein Association USA, Inc., National Association of Animal Breeders, National Dairy Herd Information Association, National Milk Producers Federation and Dairy Calf and Heifer Association – formed a group called IDairy™ because we collectively believe that our industry will be best served when all dairy operations, and ultimately, all dairy cows, are identified in a national central database. IDairy™ believes that a national animal identification system can both protect farmers' privacy, and also allow for immediate access of relevant information in the event of a food safety crisis that could endanger the entire dairy chain. Additionally, NMPF has standing policy which supports:

- "the establishment of mandatory animal disease traceability at the earliest possible date for reporting livestock movements in the U.S.;

- adoption of International Organization for Standardization (ISO)-compliant radio frequency identification device ear tags for the cattle industry; and
- one centrally-managed national database, which facilitates ready access to essential tracking data by all state and federal animal health authorities on a real-time basis, while safeguarding producer confidentiality."

NMPF has carefully read the proposal and agree with the USDA premise that animal disease traceability is important for the dairy industry and livestock agriculture as a whole. Upon review, NMPF will provide brief comments in the following areas: other livestock industries, Federal preemption, official identification devices and requirements, and Interstate Certificate of Veterinary Inspection.

Other Livestock Industries

NMPF does not have the expertise or representation in membership to comment specifically on disease traceability for other livestock industries. Rather, we encourage USDA to carefully consider comments from the various livestock industries and implications for each sector when finalizing the proposal. In the past, USDA has attempted to have a unified animal identification and traceability rule for bovines in general, thus having the same requirements for the dairy and beef industries. USDA is well aware of the differences in opinion between the dairy and beef industries relative to the need of mandatory versus voluntary animal identification and traceability. ***Therefore NMPF recommends that USDA proceed with mandatory animal identification and traceability standards that are unique for the dairy industry and these not need to be aligned to any requirements for the beef industry.***

Federal Preemption

In the proposal, USDA-APHIS emphasized that the Federal involvement is focused on animals moving interstate, stating, "Because USDA's regulatory authority applies to interstate commerce, the requirements would not apply to movements within a state." Because animal diseases do not respect political boundaries, we believe that disease traceability must be consistent across all State, Tribal, and Territorial governments (see **Official Identification Devices and Requirements**). Without this consistency, there will be a negative impact on the effectiveness of the program for animal identification and disease traceability for the dairy industry. It is conceivable there could be different systems implemented by each political entity. Since a significant number of dairy producers operate in more than one political jurisdiction, this will likely result in confusion and added expense for producers. ***Therefore NMPF recommends that USDA exercise Federal Preemption to provide a far more beneficial national system with all State, Tribal, and Territorial governments utilizing a central system, making it easier for producers and other industry partners to participate.***

Official Identification Devices and Requirements

NMPF and IDairy have long supported the use of RFID tag technology as the appropriate animal identification for dairy cattle to allow for disease traceability at the speed of commerce. RFID tag technology is being readily adopted by dairy producers as part of their herd management systems for animal health, reproduction, performance, genetic, and other purposes. As previously stated in **Federal Preemption**, the dairy industry has concerns about State, Tribal, and Territorial governments requiring different identifications which will impede the ability to conduct disease traceability. ***Therefore NMPF recommends that USDA require official 840-RFID tags for all female dairy cattle and those male dairy cattle used for reproductive purposes.***

Male calves born to dairy cattle have four productive pathways: (1) reared for reproductive purposes or reared for meat a purpose including (2) bob veal, (3) fed veal, and (4) dairy beef steers. As these animals begin their production in a dairy facility, NMPF continues to support their mandatory identification. However, as these male calves reared for meat purposes are effectively no longer part of the dairy enterprise and not under the same management scheme as dairy cattle, we believe some flexibility in their identification is warranted. ***Therefore NMPF recommends that USDA require an official 840 "brite" or RFID tag for those male dairy cattle (bull calves) used for meat purposes (i.e. bob veal, fed veal, or dairy beef steers).***

NMPF believes the current proposal for replacement ID devices does not go far enough. The dairy industry relies on a producer's ability to accurately identify animals with a single unique number: in other words, "one number, one animal." Everyday management decisions and the entire animal performance and record system rely on this philosophy. Ear tags printed with the animal identification number (AIN) are high retention, but not 100%. It is imperative that the USDA-APHIS recognize that dairy producers need the ability to replace an ear tag with the same AIN as the original number. It would be a mistake to overlook this need and allow for the replacement of only devices, and not the AIN. We have already seen examples of the impact this limitation can have from Michigan, where the AIN RFID has been utilized since 2007 for their in-state disease control program. ***Therefore NMPF recommend USDA to include an allowance for the replacement of AIN's with the same number which will protect the long-standing and important animal management philosophy the dairy industry utilizes today.***

Interstate Certificate of Veterinary Inspection

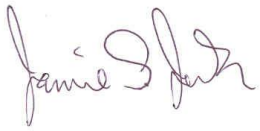
A key component of disease traceability is an effective system to track animal movement. NMPF supports one centrally-managed national database, which facilitates ready access to essential tracking data by all state and federal animal

health authorities on a real-time basis, while safeguarding producer confidentiality (such as an FOIA exemption). However, we understand that such a system is unlikely to be included in the current animal disease traceability system. This makes the Interstate Certificate of Veterinary Inspection (ICVI) much more important as a source for disease traceability. Paper-based ICVI have drawbacks in disease traceability including the length of time required to search volumes of records and quality of data entry on the forms (such as legibility). An electronic ICVI would be a demonstrable improvement. ***Therefore NMPF recommends that USDA require the use of an electronic ICVI when an ICVI is required for the interstate movement of dairy cattle within two years of finalization of the animal disease traceability rule. Furthermore, USDA should work with the American Veterinary Medical Association and American Association of Bovine Practitioners on education and outreach about the use of electronic ICVI.***

Conclusions

USDA has spent more than a decade attempting to establish an animal identification and disease traceability system. The dairy industry has broadly supported mandatory animal identification and disease traceability to serve as a collective industry insurance policy against catastrophic animal disease outbreaks. NMPF believes now is the time for USDA to implement an animal identification and disease traceability system for the dairy industry.

Sincerely,



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