

## Questions and Answers: New Animal Disease Traceability Framework

### Q. What kind of comments did you receive during the National Animal Identification System (NAIS) listening tour and submitted online?

A. The U.S. Department of Agriculture (USDA) received a wide variety of comments during the listening tour. Some people were in favor of NAIS, but the vast majority of participants were highly critical of the program. Some of the concerns and criticisms raised included confidentiality, liability, cost, privacy, and religion. There were also concerns about NAIS being the wrong priority for USDA, that the system benefits only large-scale producers, and that NAIS is unnecessary because existing animal identification systems are sufficient.

During the feedback process, USDA also received input from Tribal Nations and industry groups, as well as representatives for small and organic farmers.

USDA seriously considered and reviewed all the comments and feedback we received before deciding how to address animal disease traceability.

### Q. What has USDA decided to do about NAIS?

A. USDA announced on February 5, 2010, that it will revise the prior animal identification policy and offer a new approach to achieving animal disease traceability. We need an adaptable system that will help us find disease, quickly address it, and minimize harm to producers. USDA will move forward using a flexible yet coordinated approach that embraces the strengths and expertise of States, Tribal Nations, and producers.

### Q. Why did you make this decision?

A. Preventing and controlling animal disease is the cornerstone of protecting American animal agriculture. The United States needs a flexible system that will allow us to find disease, quickly address it and minimize harm to producers.

Under the previous Administration, USDA tried to implement NAIS. USDA spent more than \$120 million, but only 36 percent of producers participated. It is no secret that there are concerns about and opposition to NAIS.

While USDA appreciates the more than 500,000 producers who took part in our animal disease trace-

efforts more workable, feasible and common sense for all of America's producers—especially small producers.

This new approach honors the very legitimate concerns of the American public and those in Rural America, as well as those who have supported our past animal disease traceability efforts. USDA is moving forward with an approach to animal disease traceability that is flexible and lets the States, Tribal Nations, and producers use their expertise to find and use the animal disease traceability approaches that work best for them.

### Q. Do we really need animal disease traceability? Why?

A. Animal disease traceability, or knowing where diseased and at-risk animals are, where they've been, and when, is very important to make sure that there can be a rapid response when animal disease events take place.

Animal disease traceability does not prevent disease. But knowing where diseased and at-risk animals are is indispensable during an emergency response and for ongoing disease programs. It helps to reduce the number of animal deaths and preserve animal health when outbreaks occur in certain parts of the country. It can also limit the number of animal owners impacted by an outbreak and reduce the economic strain on owners and affected communities.

## Animal Disease Traceability Framework

### Q. What exactly is the new animal disease traceability framework?

A. The benefit of Secretary Vilsack's decision to move forward with a new approach to animal disease traceability is that USDA will not be creating the framework alone. USDA will partner with States and Tribal Nations to create the framework for the new approach. USDA also plans to re-establish a Secretary's Advisory Committee on Animal Health with representatives from States, Tribal Nations, industry groups, local farms, organic farmers, and underserved communities to assist us in evaluating commodity-based animal disease traceability approaches, along with State-by-State and Tribe-by-Tribe animal disease traceability efforts. This Committee will also advise USDA on other issues that need addressing, such as confidentiality and liability.

A few other aspects are clear. The intent of the new approach is to:

- Achieve basic, effective animal disease traceability and response to animal disease outbreaks without overly burdening producers;
- ONLY apply to animals moving in interstate commerce;
- Be owned, led, and administered by the States and Tribal Nations with Federal support focused entirely on animal disease traceability;
- Allow for maximum flexibility for States, Tribal Nations, and producers to work together to find identification solutions that meet their local needs;
- Encourage the use of lower-cost technology;
- Ensure that animal disease traceability data is owned and maintained at the discretion of the States and Tribal Nations;
- Be less Federally intrusive and support producers' request to operate on principles of personal accountability; and
- Help overcome some of the mistrust caused by NAIS.

**Q. How is this different from the old system?**

**A.** This new approach will be focused entirely on animal disease traceability. It will be led and administered by the States and Tribal Nations. USDA's role will be to provide support to the States and Tribal Nations, and to work cooperatively with them to ensure animal disease traceability standards are defined, measurable, and well documented. Once the standards are defined, States, Tribal Nations, and producers will determine what methods will work best for them to achieve animal disease traceability.

The new framework focuses only on animals that move in interstate commerce. So, small producers who raise animals and move them within a State, Tribal Nation, or to local markets, as well as to feed themselves, their families, and their neighbors are not a part of the framework's scope and focus.

**Q. What roles will the States, Federal government, Tribal Nations, industry, and producers all play in the new framework?**

**A.** Everyone will need to play an important role in developing the animal disease traceability framework. USDA will take the initial steps to create a basic framework and publish a new animal disease traceability section in the *Code of Federal Regulations* that includes clear criteria and performance measures.

However, the framework ultimately will be led and administered by the States and Tribal Nations, with Federal support. Each State and Tribal Nation will be able to determine the specific approaches and solutions it will use to meet basic animal disease traceability performance measures based on the needs of their local producers.

USDA will also re-establish a Secretary's Advisory Committee on Animal Health with representatives from States, Tribal Nations, industry groups, local farms, organic farmers, and underserved communities to assist us in evaluating commodity-based animal disease traceability approaches, as well as State-by-State and Tribe-by-Tribe animal disease traceability efforts.

**Q. Is the new framework mandatory for all owners of animals?**

**A.** No. USDA will not mandate a one-size-fits-all approach to animal disease traceability. The system will not be mandatory in the sense that all producers are required to participate or that all States and Tribal Nations must implement one approach.

What is certain is that animal disease traceability will be required for animals moving in interstate commerce. However, each State and Tribal Nation will be able to determine the specific approaches and solutions it wants to use to achieve the minimum animal disease traceability performance measures. Animals not moved out of state, as well as small producers who raise animals to feed themselves, their families, and their neighbors, are not a part of the framework's scope and focus.

**Q. Will the new system be less burdensome for producers?**

**A.** The new framework will allow States, Tribal nations and producers maximum flexibility — and therefore reduce the burden on producers. They can work together to determine what identification methods meet their local needs, while still meeting the national standards and performance measures.

The new approach also places producers who do not move their animals in interstate commerce outside the scope of the Federal animal disease traceability system.

**Q. Will the size of my herd have any relation to the standards I must meet?**

**A.** Producers who raise animals and move them within a State, Tribal Nation, or to local markets, as well as to feed themselves, their families, and their neighbors are not part of USDA's framework's scope and focus.

Animals moving in interstate commerce into normal marketing channels are those that will fall under USDA's new animal disease traceability approach.

**Q. Are local producers required to participate?**

**A.** No. Only producers whose animals move in interstate commerce will be covered by the Federal animal disease traceability framework. USDA purposefully chose a new direction for animal disease traceability that supports the concerns of America's local farmers.

## Official Identification

### **Q. Will animals participating in the new system need to be officially identified?**

**A.** Under the new framework, it will be important for animals moving in interstate commerce to be part of the traceability system. The details of the new system will be developed in a transparent and collaborative process. USDA will maintain a list of official identification devices, which can be updated or expanded based on the needs of the States and Tribal Nations. There are many official identification options available, such as branding, metal tags, RFID, just to name a few.

### **Q. What forms of ID will be used in the new framework? Will this be decided at the Federal or State level? Who will have input on this decision?**

**A.** Under the new framework, it will be important for animals moving in interstate commerce to be part of the traceability system. The details of the new system will be developed in a transparent and collaborative process. Each State and Tribal Nation will be able to determine the specific approaches and solutions it will use to achieve basic animal disease traceability performance measures based on the needs of their local producers. USDA will be flexible in supporting States and Tribal Nations as they use technologies that suit the needs of their producers. For example, in some States and Tribal Nations, branding might be a way to meet animal disease traceability goals.

The new framework will also work with existing USDA disease programs, incorporating the identification requirements for those programs. Additionally, USDA will review and revise if needed the current species-specific identification requirements.

Finally, several species groups already have animal disease traceability methods in place, and the specific animal disease traceability needs of each species will be considered by the Secretary's Advisory Committee.

### **Q. How will this new animal disease traceability approach support lower-cost technology?**

**A.** States and Tribal Nations will have the flexibility to adopt the specific methods that best enable them to meet animal disease traceability performance measures. They will also have flexibility to determine what technology they choose to use to support their efforts.

In some States or Tribal Nations, animal disease traceability goals could be achieved through branding; in other States or Tribal Nations, metal ear tags may be suitable. To ensure interstate compatibility and connectivity, APHIS will work with States and Tribal Nations in establishing standards and guidelines, where free or low-cost tags will be incorporated as options.

### **Q. Will there be additional burdens for states who choose to implement a more technology-based system (electronic ID as opposed to visual ID or brands)? How will cost differences be handled? Will there be subsidies available?**

**A.** The goal of this new animal disease traceability approach is to impose the least burden on producers as possible, while still making sure that we have effective animal disease traceability in the United States. USDA will work with States, Tribal Nations, and industry to provide free or low-cost visual tags as an option. USDA will also make the information technology (IT) systems it developed through NAIS available to States and Tribal Nations, should they want to use them.

Once States and Tribal Nations decide on acceptable methods of identification, it will be up to the producer to choose the method they want to use if multiple options are available.

## Animals Moving in Interstate Commerce

### **Q. How will having different systems in different States and Tribal Nations affect interstate commerce?**

**A.** Under the new framework, USDA will work with States and Tribal Nations to develop systems that achieve basic animal disease traceability performance measures based on the needs of their local producers.

USDA will work cooperatively with the States, Tribal Nations, industry, and the public to set the minimum requirements for animal disease traceability that allow for the efficient movement of animals

### **Q. Who will decide what systems are acceptable for interstate commerce?**

**A.** USDA will work cooperatively with the States, Tribal Nations, industry, and the public to set the minimum requirements for animal disease traceability that allow for the efficient movement of animals.

### **Q. If I buy animals from one State or Tribal Nation and then later need to sell them to another State or Tribal Nation with different ID requirements, will I need to re-ID them?**

**A.** USDA will work with State and Tribal Nations to establish minimum standards for animal disease traceability, as well as when these officials work together to develop individual animal identification requirements. Our goal is to ensure that animals continue to move efficiently in interstate commerce.

### **Q. Who will hold the information needed to conduct traces? How will USDA gain access to this information when a disease event occurs?**

**A.** Under the new framework, the States and Tribal Nations will hold animal disease traceability informa-

tion. USDA will stand ready to assist States and Tribal Nations as requested.

USDA will have access to necessary animal disease traceability information when an animal health event arises. In developing the details of the new animal disease traceability approach, USDA will work with States, Tribal Nations, and industry to provide options and support for information systems.

**Q. Will my animals' information or my information be entered into any government database?**

**A.** Under the new framework, animal disease traceability information will be held by the States and Tribal Nations, unless a State or Tribal Nation requests that USDA hold their information. USDA will have access to necessary animal disease traceability information only when an animal health event arises.

**Costs of the New Approach to Animal Disease Traceability**

**Q. Who's going to pay for this? How much is it going to cost? How will it be funded?**

**A.** While the total cost of the new framework is not known at this time as the details still need to be decided, it is USDA's intent to be a cooperative partner in terms of both technical and financial assistance with States and Tribal Nations.

U.S. taxpayers have already made a significant investment in USDA's past animal disease traceability efforts, and it is vitally important that funding for this initiative not go to waste. USDA will be fiscally responsible and use some elements from NAIS in the new approach. Elements, such as IT infrastructure and tags, will be changed or updated to work with the new approach — and made available to the States and Tribal Nations to use as they see fit for their producers.

Finally, the cost of the animal disease traceability framework will be less than the \$228 million per year that the NAIS Benefit-Cost Analysis outlined for a full animal disease traceability system. It will cost less for two reasons:

- The framework covers only animals moving in interstate commerce and offers flexibility in the identification devices and tracing methods used.
- The Benefit-Cost Analysis was based, among other things, on identifying and tracing livestock animals, as well as using electronic identification devices for cattle (the largest segment of the livestock population).

**Q. Will the new approach be an unfunded mandate on States and Tribal Nations or expensive for producers?**

**A.** No. It is USDA's intent to provide funding to the States and Tribal Nations to develop animal disease

traceability approaches for their producers. USDA also intends to work with States, Tribal Nations, and producers to facilitate access to tags and to help offset other costs, just as USDA does for other animal disease programs.

**Q. Will any of USDA funds received to implement NAIS be used for this new approach?**

**A.** Yes. USDA funds previously allocated to NAIS will be used for the new animal disease traceability approach.

**Investments in NAIS**

**Q. What will happen to the people who signed up for the original NAIS?**

**A.** Producers who registered their locations as part of NAIS and currently use 840 numbers may continue to do so. Information collected as part of USDA's animal disease programs will remain in place to be used as needed for tracebacks and trace forwards during disease situations.

The new animal disease traceability framework does not roll back any identification gains made in commodities such as sheep, swine, and poultry that often exceed the basic level of animal disease traceability.

Finally, USDA working with the States and Tribal Nations, will determine the components of NAIS that can or should be salvaged and overhauled and what can't, and to leverage our investment to support the new approach. USDA will also replace NAIS guidance and other NAIS materials with information about this new direction on animal disease traceability.

**Q. Is there going to be any sort of benefit/compensation to the original NAIS participants (voluntary)?**

**A.** USDA values the more than 500,000 people who decided to participate in USDA animal disease traceability efforts to date. It's also important to recognize that States, Tribal Nations, industry groups, and thousands of American producers have invested heavily in NAIS and have worked hard to make it succeed. It is their input and feedback that has led us to develop an approach that offers more flexibility, lower cost options, and is less burdensome.

In fact, the goal of Secretary Vilsack's new animal disease traceability approach is to impose the least burden on producers as possible, while still ensuring effective animal disease traceability. USDA will be working with States, Tribal Nations, and industry to facilitate access to visual tags as an option as well as provide access to information technology systems that support animal disease traceability efforts.

**Q. More than \$120 million was spent on the old NAIS system. Are there elements that you are keeping?**

**A.** The money invested in NAIS will not go to waste. Many elements of the NAIS system can be used in this new animal disease traceability framework, should States and Tribal Nations elect to use them. These elements include:

- a strong IT infrastructure;
- an allocator to provide unique location identifiers; and
- 840 tags.

**Q. Why are you reusing NAIS components?**

**A.** Considering the significant investment of taxpayer money, it would be irresponsible to completely disregard all elements of NAIS. We must be fiscally responsible and use and adapt as much of the investment from NAIS as is practical. This can be done with IT systems and tags. These elements will remain available; however, it will be up to the States and Tribal Nations to decide how they want to use them, if at all.

**Q. What about States that legislated that they would not participate in NAIS?**

**A.** It's important to remember that the new animal disease traceability framework the USDA is announcing is not NAIS. This framework will set forth criteria that States and Tribal Nations must meet for their animals to be able to move interstate. States and Tribal Nations will have the flexibility to decide what methods they will use.

**Q. Are the PINs provided through NAIS being maintained or is all the information being deleted?**

**A.** States and Tribal Nations will have the flexibility to determine the specific approaches and solutions they will use to achieve basic animal disease traceability performance measures. And, each State and Tribal Nation's decisions will be based on the needs of their local producers.

However, producers who registered their locations as part of NAIS and use 840 numbers may continue to do so.

Other information will remain in place to be used as needed for tracebacks and trace forwards during disease situations.

**Q. Some fairs and packers require PINs. If these requirements continue, how should producers obtain a PIN?**

**A.** Until the new animal disease traceability framework is established and States and Tribal Nations decide the specific approaches and solutions they will use, producers may continue to use 840 numbers and PINs, if they already have them.

If a producer does not have a PIN and needs one,

he/she can contact their State animal health officials to acquire one. If the State or Tribal Nation does not provide the location identifiers, a local USDA representative can provide the location identification number.

**Q. Will my 840 tags still be valid? Will I need to retag my animals?**

**A.** Producers that wish to use 840 tags may continue to do so. Retagging will not be necessary.

## **Confidentiality**

**Q. What will USDA do to keep my information confidential?**

**A.** USDA understands that the confidentiality of producer information is a foremost concern. USDA believes that producer information gathered through animal disease traceability efforts is exempt from provisions of the Freedom of Information Act. USDA also intends to continue to work with stakeholders and Congress to thoroughly consider this issue.

## **Domestic Disease Programs**

**Q. How does this new framework work with existing USDA disease programs, for example TB and brucellosis?**

**A.** In a new section of the *Code of Federal Regulations*, USDA intends to compile, in cooperation with States, Tribal Nations, and the Advisory Committee, species-specific identification requirements and revise them as necessary to be consistent with our new direction. The revisions will recognize the different animal disease traceability needs of various animal species and will build on the animal disease traceability successes in a number of commodity groups.

These revisions will also clarify how our new framework for animal disease animal disease traceability works with existing disease control programs. Successful species-specific identification programs will continue.

**Q. What about 840 tags for disease programs?**

**A.** USDA will still require the use of official identification and location identifiers from the national allocator for program diseases. The 840 radio frequency (electronic) tag will be considered as a first choice, due to ease of testing and recording/reporting information. However, other options will be available.

## **Imported Animals**

**Q. One of the concerns raised during the listening sessions is the entry of foreign animals with diseases. How does the new framework help this situation? What steps is USDA taking to address it?**

**A.** We know that the best defense against animal disease is to prevent it from reaching the United States. While USDA already has procedures and regulations in place to protect U.S. livestock from diseased animals entering the United States, we will take several steps to strengthen our first line of defense as part of the animal disease traceability announcement.

The steps include:

- taking actions to lessen the risk from disease introduction, such as developing a highly pathogenic avian influenza rule to prevent the introduction of this disease into the United States;
- initiating and updating analyses on how animal diseases travel into the country, including conducting a risk assessment on the introduction of new world screwworm into the United States, Mexico, and Central America from the Caribbean;
- improving response capabilities, and
- focusing on greater collaboration and analyses with States and industry on potential disease risk overall.

**Q. Will international animals imported into the United States have to meet individual State or Tribal Nation requirements?**

**A.** Since this new approach to animal disease traceability is only just underway, States and Tribal Nations have not yet outlined their animal identification requirements.

## **Food Safety**

**Q. How does animal disease traceability relate to the President's food safety initiative?**

**A.** USDA's animal disease traceability announcement only focuses on animal health and aims to assist USDA in quickly finding out where diseased animals have been and what other animals they may have come in contact with. Animal disease traceability isn't a food safety program.

**Q. Will animal disease traceability allow USDA to trace down to a package of meat?**

**A.** USDA's Animal and Plant Health Inspection Service (APHIS) is the lead Federal agency for animal disease traceability. This type of traceability is focused on animal health and allows for the tracing of an animal's movements during its lifespan. Currently, animal disease traceability ends when an animal is slaughtered.

USDA's Food Safety and Inspection Service (FSIS) is the lead agency dealing with food safety in meat and poultry. They have a wide range of programs designed to ensure food safety. One of their responsibilities is being able to trace packaged meat back to a processing facility or slaughter house.

While these are currently two separate systems, animal disease traceability can serve as an important

animal health resource by tracing animals that arrive at slaughter facilities showing signs of disease to their original herd and other animals that may have been exposed to the same disease.

**Q. Will animal disease traceability prevent people from getting food borne illnesses?**

**A.** Animal disease traceability focuses on animal health and allows for the tracing of an animal's movements during its lifespan. This allows animal health officials to determine what animals may have been exposed to a disease, and where they are located. These potentially exposed animals are quarantined, or kept from moving in commerce, until they can be tested for disease.

Only healthy animals are eligible for slaughter. Once slaughtered, FSIS has a variety of methods for ensuring that meat stays fresh and free from contamination throughout the processing, packaging and distribution process.

It is also important that consumers follow USDA cooking temperature recommendations to help prevent food borne illness.

**Q. How will animal disease traceability protect consumers?**

**A.** Should there be an animal disease event, animal disease traceability would allow for efficient traceback of infected animals and the rapid quarantine of potentially exposed animals. This ensures that healthy animals can continue to move freely to slaughter facilities, which protects producer's livelihoods and keeps costs down at the grocery store. At that point, FSIS' methods for traceability take over and continue to make sure that the food supply is safe.

**Q. Can certain aspects of animal disease traceability be used to ensure safe food and prevent food borne illnesses?**

**A.** Animal disease traceability is focused on animal health. However, there are some aspects of disease traceability that can help promote a safe, healthy food supply:

1. When animals arrive at slaughter facilities, before they are slaughtered, FSIS conducts a wholesomeness evaluation. At this time, if FSIS sees any potential signs of disease, the animal is removed from the food chain and evaluated. If the animal is diseased, the animal disease traceability system would make the traceback of that animal much more effective and timely than if the animal did not have identification.
2. If animal disease is found, either at a pre-slaughter inspection or on the farm, animal disease traceability allows animal health officials to better determine what animals may have been exposed to the disease, as well as where they are located. This allows animal health officials to test potentially exposed animals for

a disease, while leaving unexposed animals free to move in commerce.

3. Animal disease traceability will also ensure that the United States can manage zoonotic diseases, or those diseases that can be transmitted from animals to humans.

## Next Steps

### Q. What are the next steps?

A. USDA wants to be fully open and transparent in any actions taken in support of animal disease traceability and wants to engage and collaborate with those impacted by this new system as much as possible.

The first step is to reach out to the States, Tribal Nations, and industry, and other stakeholders to begin the process of working together to develop the animal disease traceability framework, minimum standards, and regulations. In March 2010, USDA will convene a meeting with States and Tribal Nations, who will work together with their producers to provide us with guidance and input on what they feel should be a part of the animal disease traceability framework and eventual regulations.

USDA will also issue a call for nominations for a re-established Secretary's Advisory Committee on Animal Health that will provide feedback on the animal disease traceability regulations, as well as other issues like confidentiality and liability. It is the goal for this subgroup to meet and begin work in summer of 2010.

Finally, USDA will convene a regulatory working group of Federal, State, and Tribal Nations animal health officials to assess options for the animal disease traceability framework, provide input to the agency, and review the feedback received from the public and other partners.

### Q. When will a proposed rule be published?

A. It is our goal that by the fall of this year, USDA, supported by the regulatory working group, will have reviewed the feedback from the public, along with input from States, Tribal Nations, and the animal disease traceability subgroup in order to develop a proposed rule.

By next winter, we hope to publish the proposed rule for animal disease traceability's minimum standards and system performance in straightforward, understandable language. We will offer a comment period of 90 days to allow ample time for comments and feedback from all interested parties.

### Q. When will the animal disease traceability framework be finalized?

A: Rulemaking can be a complicated process, so it is difficult to predict when a final rule may be issued. However, USDA is committed to transparency and openly working with States, Tribal Nations, and producers throughout the rulemaking process and providing them with ample time to comply with the final performance standards.

### How can you participate?

#### Q. If I have concerns about the new animal disease traceability system, how can I raise them?

##### Who do I need to talk to/write?

A. Because establishing the new animal disease traceability framework will be a joint State/Tribal Nation/USDA effort, your input and feedback are welcome and very important. You can either contact your USDA area veterinarian in charge (AVIC), your State veterinarian, or Tribal animal health officials with comments. To find contact information for your State veterinarian, please visit USDA's animal disease traceability web site at [www.aphis.usda.gov/traceability](http://www.aphis.usda.gov/traceability). In the "Quick Links" menu, click on "State Veterinarian Directory."

During the rulemaking process, a public comment period will also offer an opportunity for sharing your views.

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