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(FORM UPDATED: 08/11/2010)

# WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

## 2003-04

(session year)

## Assembly

(Assembly, Senate or Joint)

## Committee on Agriculture...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

## **FAQs on the U.S. Animal Identification Plan**

### **1. What is the U. S. Animal Identification Plan?**

The U.S. Animal Identification Plan (USAIP) defines the standards and framework for implementing and maintaining a phased-in national animal identification system for the United States.

### **2. Why is this program needed?**

A national animal identification system is needed to help protect American animal agriculture. This national plan, which identifies all food animals and livestock, will enhance disease preparedness by allowing the U.S. to identify any animals exposed to disease and will facilitate stopping the spread of that disease. In addition, it will provide benefits to industry in terms of market access and consumer demand. The USAIP will uphold the U.S.'s reputation for having a safe food supply and will promote continued confidence in agricultural or livestock products. Having a working system that allows for tracebacks to all premises that had direct contact with an animal with a foreign animal disease within 48 hours of discovery will reduce the financial and social impacts of such a disease.

### **3. Is this plan part of Country of Origin Labeling (COOL)?**

No, the USAIP is not intended to be a part of Country of Origin Labeling. The plan's sole intent is to create the ability to track animal disease to its source within a 48-hour period.

### **4. Why 48-hour traceback capability?**

To protect the health of the U.S. herd, sound scientific principles indicate that being able to track and contain a disease event within 48 hours is essential. For the industry to maintain consumer confidence and protect its economic viability, the industry will need to demonstrate its ability to meet this standard

### **5. What are the benefits for producers in adopting the U.S. Animal Identification Plan?**

The adoption of a national identification system will help secure the health of the national herd. The program will provide producers and animal health officials with the infrastructure to improve efforts in current disease eradication and control, protect against foreign animal disease outbreaks and provide infrastructure to address threats from deliberate introduction of disease.

The industry may integrate the standards and technologies defined in the USAIP with their management systems and performance recording programs. The utilization of the same ID technologies for both regulatory and industry programs allows for the development of a more cost effective and user-friendly system for the producer. Producers can also benefit from additional animal identification information obtained to improve production efficiencies and add value to their products. However, the information systems are completely separate; production data will not be transmitted to nor maintained in the national identification databases.

6. How much will the program cost?

The plan for the program is currently being developed. Initial start-up costs will be different than the costs of a fully operational system in all 50 states.

7. Who will pay for the plan?

It is anticipated that the federal government and all industry stakeholders will share in the costs of an identification system.

8 Where do I get a premises ID?

The administration and maintenance of premises ID lies with each state's department of Agriculture. State departments will use a national mechanism to obtain a unique national premises ID, and will record additional information such as type of premises, contact name, address, and phone number to contact the person in charge of a premises. Key pieces of information will be sent to the national premises database that can be used in the case of a disease trace-back.

9. What forms of identification will be used?

The form of animal identification used is intended to optimize accuracy, promote efficient information transfer, and be practical and effective in its application for individual species and/or industries. Species groups will have the choice of designing a system that may or may not use accompanying visible ID. For example, the cattle industry plans to use radio frequency identification (RFID) technology using an eartag attachment.. Other species are exploring methods suitable for their industries, although effective official identification methods as described in the 9 CFR will be maintained for certain species. Electronic identification may be necessary for efficient and accurate data collection and animal tracking in some species or in particular animal movement scenarios. Official identification tags will not replace management ear tags unless the species groups establish those options. Ultimately it is anticipated that technological advances will allow for one tag or ID device that performs multiple functions. Implants (i.e., microchips) may be permitted for certain species in which no other form of ID is suitable and assuming that the implant site has been approved by the FDA and FSIS relative to ease of discovery at slaughter when appropriate.

10. Where do I get an official ID tag or device?

Currently the distribution mechanism for ID devices is being discussed. It has not been decided where and how a producer can obtain official ID devices at this time. Different species will have different requirements in regards to the type of device that can be used, however standards in regards to RFID technology and code structure, and retention will ensure that various ID devices can be read with RFID readers that meet the same RFID technology standards.

11. Will producers need to have a radio frequency identification (RFID) reader?

Radio frequency (RF) technology is the form of electronic identification that is currently being considered. Producers that have livestock that utilize RFID for official identification will not necessarily need to have a RFID reader. For example, the producer will be able to record the RFID code of the electronic device before it is applied to an animal and cross-reference the code with a visual-tag number. This will allow them to maintain a record of the RFID code without having to read (scan) the transponder. For cattle, the plan calls for the utilization of a RFID eartag attachment on which the RFID code is to be printed for visual readability. While reading and recording the RFID code manually is not ideal, it can be achieved.

An array of readers will be available on the market; ones that merely read and display the RFID code to ones that are attached to an advanced handheld computer. Palm type devices encased together with a built in reader are becoming quite popular.

12. Who will pay for RFID readers and their installation in markets and slaughter plants? Who will pay for the electronic identification devices?

The plan is being developed as an industry-government partnership, so it is expected that industry and the government will share the cost of the necessary elements. Exactly how those costs will be shared is currently under discussion within the various Species Working Groups.

13. If I am currently using an ID program through a private service or marketing alliance, will my ID be usable in the USAIP?

Yes, assuming the program you are using will be compliant with the official USAIP standards.

14. Should I, or my State Cattle Association, consider options for aligning ourselves with a database management provider so I can be sure I comply with the USAIP?

The Steering Committee would characterize such action as premature. There is definitely no urgency as no immediate implementation requirements have been established. The Steering Committee, and in the future, the USAIP Oversight Board, will clearly communicate dates that will call for action or producer-participation. The program will be phased in over time, and an adequate transition period will be established for producers to work into the system.

The USDA is taking necessary steps to have the standards established as official; the U.S. Animal Identification Number is an example. The standards established in the USAIP are to be recognized as official so industry initiatives that are developing programs containing an ID component may start to incorporate them if they so desire. Additionally, this will allow the standards to be used in various pilot projects that are being formulated. Also, please note that the timetables outlined in the USAIP are target dates, which will be updated through consensus of the Species Working Groups.

15. Who will be responsible for ID application in livestock?

During the phase in period, animals will need to be identified as they leave whatever premises they are on regardless of where they were born. After the first few years of the

program, identifying animals will be the responsibility of the "premises of birth" producers. For producers who lack equipment for individual identification, tagging stations will be available.

16. What is a tagging station and where will such stations be located?

A tagging station is an entity operating from a fixed location that has been officially approved by USDA/APHIS to apply ID devices to animals that are being moved into commerce. The USAIP work plan recognizes that not all producers will have facilities to individually tag animals before they leave the farm. Therefore, producers who are required to individually tag animals that leave the farm can elect to truck animals to an approved tagging station and pay the operator of the tagging station a fee to apply individual animal ID devices and report the ID information to the central database. Such tagging stations may include, but not be limited to an existing livestock marketing facility, a veterinary clinic, a fairgrounds or a facility specifically dedicated to performing tagging services.

17. What data will be required to be kept, by whom and in what form?

This part of the plan is under development. It is anticipated that the final plan will be user-friendly such that it will be easy for all stakeholders to implement and make part of their daily practice. Ideally animal movements will be electronically tracked and sent from the stakeholders to the central database. For the plan to be successful, this key part, i.e. data entry, will need to be easy to follow, thus achievable in real-time such that data entry becomes a routine management practice.

Only essential information will be reported to the central database. In the case of individual animals, this is: 1) an US AIN (US Animal Identification Number), 2) the premises ID that the US AIN was seen at or allocated to, and 3) the date it was seen or allocated. Additional information that can be important in a disease trace-back such as species, breed, sex, age or date of birth can also be reported if available. In the case of group or lot movements, the key data are the groups' Lot ID number, the premises ID the Lot ID number was seen at, and the date it was seen. If species is available, this can also be provided to the central database.

The goal of the work plan is to work with existing information systems so additional recording of information by producers and auction markets is minimized.

18. Who will have access to information in the National Animal ID Databases?

Only state and federal health officials will have access to the premises and animal ID information when performing their duties to maintain the health of the national herd. Proper safeguards are being researched and will be put in place to ensure that the data is protected from public disclosure.

19. What species are included in the program?

Currently, the species include beef, dairy, swine, and sheep. It is anticipated that equine, aquaculture, poultry, goats, camelids, cervids and any other species deemed necessary to protect animal agriculture will be included in the future.

20. Will this be a mandatory program?

Efforts are geared toward developing a national animal identification program that will provide for the ability to rapidly track animals exposed to a disease concern, and will meet the needs of producers, animal industries, domestic and international markets and consumers. The plan still needs to be completed and the system needs to be tested to be sure it is effective and workable. Incremental implementation of the plan as development continues will allow for potential problems within the system to be identified and the plan modified to address those problems. Ultimately there needs to be full compliance for the system to work as effectively as it should. Once the USAIP has been finalized, considered workable and accepted by industry, it is likely that industry and market forces will drive the process towards full compliance. At that time, USDA will work with industry and state partners to achieve full participation with the USAIP.

21. Will I be able to sell my livestock if they are not officially identified?

Yes, as the plan will begin as a voluntary program. Over time some markets may require animals to be identified that are not identified now. Species where ID is currently required will continue to have to be identified prior to entering commerce, i.e. sheep and goats under the national Scrapie eradication program.

As the program is phased in, all animals of covered species will be encouraged to have premises identification, and eventually individual identification, prior to sale. For producers who lack facilities to apply identification devices at the premises of birth, there will be provisions for initiating the process at the point of sale.

22. Can animals be identified as a group?

Yes an animal production system can use Group/Lot identification if the producer is able to demonstrate to the satisfaction of state animal health officials that, through group identification and production records, traceback to all premises with direct contacts of a suspect animal can occur in 48 hours. Each group will be identified with a unique and standardized number. Verifiable records will be required to further document premises ID and dates of movement.

23. What are the penalties for not using the program?

At this point, the USAIP is not fully developed and producers are not yet required to comply with any rules. When the plan is finished, the market forces may drive the process towards compliance.

24. What are the liability issues of this program for producers?

Producers are, and have always been responsible for the livestock they produce. If practices are employed that would endanger consumers at any level the producer responsible for creating that threat could have increased liability. Merely having the animals identified through the USAIP will neither increase nor decrease that liability.

Effective traceability can help protect producers who apply best management practices. The system can help limit liability and narrow the scope of eradication efforts in the case

of a disease emergency by being able to document that appropriate and responsible measures were followed.

25. What is the timeline for implementing this program?

Several steps need to be completed before the USAIP could be fully implemented, however the USAIP recommends that:

- All states have a premises identification system initiated by July, 2004;
- Unique, individual or group/lot numbers be available for issuance by the middle of 2004;
- All cattle, swine, and small ruminants possess individual or group/lot identification for interstate movement by July 2005;
- All animals of the remaining species/industries identified above be in similar compliance by July 2006.

These standards will apply to all animals in commerce within the represented industries regardless of their intended use as seedstock, commercial, pets or other personal uses.

26. Who has developed this plan?

The National Animal Identification Development Team has developed the USAIP. It is a group of approximately 100 animal and livestock industry professionals representing over 70 associations, organizations, and government agencies. Development has been a voluntary effort by all participants working collaboratively to establish an effective national animal identification plan.

27. Who is on the Team?

Individuals on the team include producers, animal and livestock association and organizational representatives, and State and Federal governmental animal production and health professionals. Represented industries include beef, dairy, swine, sheep, goats, and cervids. Other species groups are welcome and encouraged to participate.

28. What government entities will have oversight of this plan?

In keeping with the aim of the program to safeguard the health of the U.S livestock population through disease surveillance and monitoring, that includes trace back to individual animals within 48 hours, it is envisioned that USDA-APHIS will administer the program. Further, the plan calls for governance as a joint federal-state responsibility with industry input. To ensure uniformity of operations across the U.S., APHIS and individual state animal health entities will develop and administer key regulatory elements of the plan.

29. What will be the ID requirements for animals entering the United States from other countries?

Animals entering the country will be subject to the same identification requirements as animals in the U.S. that move interstate and/or through commerce. Currently, various species working groups are defining species-specific identification requirements.

30. With the phase-out of existing official animal identification devices by July 2005, what will happen with Brucellosis vaccination tags? Will they still be used?

The USAIP does not yet specify how it will affect the animal identification protocols currently associated with the Brucellosis eradication program. It is likely that Brucellosis vaccination tags will be phased out gradually as individual vaccination records are included in the database linked to each USAIN.

31. What will happen with the national Scrapie eradication program's ID system?

With uniformity and consistency being key objectives of the USAIP, the U.S. Animal Identification Number (USAIN) will become the official number for use in the Scrapie eradication program. It is likely that animals currently identified through other official plans/programs will be "grandfathered" into the program, meaning producers will phase in the USAIN on animals identified for the first time after a mutually acceptable date.

32. Where can interested stakeholders go to obtain more information about this plan?

The primary source of up-to-the-minute information is [www.usaip.info](http://www.usaip.info) - an interactive, user-friendly website that provides details on the development of the plan as well as specific information directed at the segments of the livestock industry involved in the identification effort. Also, fact sheets, brochures, and other forms of media will be developed to target those needing information on the USAIP.

33. Is there still time to have input into the plan?

The U.S. Animal Identification Development Team is seeking comments from all interested individuals. The comment period runs until January 31, 2004. You can send comments

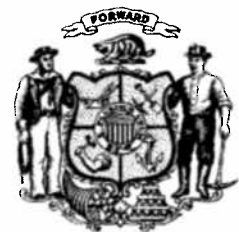
- ♦ from the USAIP web site — [www.usaip.info](http://www.usaip.info)
- ♦ ,
- ♦ by faxing (719) 538-8847 or
- ♦ by mailing to USAIP Comments, 660 Southpointe Court, Suite 314, Colorado Springs, CO 80906.

Species-specific working groups are being formed to provide input to the USAIP. Final reports are to be submitted to the National Animal Identification Development Team Steering Committee by April 1, 2004. To find out who represents your species on a species-specific working group, contact Neil Hammerschmidt at [Neil.E.Hammerschmidt@aphis.usda.gov](mailto:Neil.E.Hammerschmidt@aphis.usda.gov) or look on the [www.usaip.info](http://www.usaip.info) website.





# WISCONSIN STATE LEGISLATURE



# WISCONSIN LIVESTOCK IDENTIFICATION CONSORTIUM (WLIC) BOARD, MEMBERS, EX OFFICIO AND STAFF

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UW Extension, Animal Sciences  
Discovery Farms, UW Extension  
Wisconsin Veterinary Diagnostic Laboratory

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Robert Fourdraine  
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**WISCONSIN FARM BUREAU® MEMO**

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**TO:** ASSEMBLY AGRICULTURE COMMITTEE MEMBERS  
**FROM:** PAUL ZIMMERMAN *PZ*  
**SUBJECT:** LIVESTOCK PREMISE REGISTRATION  
**DATE:** JANUARY 8, 2004

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On behalf of the members of the Wisconsin Farm Bureau Federation (WFBF®), I wish to express support for legislation to establish a livestock premise identification program.

WFBF was one of the founding members of the Wisconsin Livestock Identification Consortium and continues to advocate the need for a national livestock identification program.

WFBF member policy states, "We believe food safety, animal health and biosecurity are interstate issues that affect the entire country. We support collaborative efforts of industry and governmental animal health officials to develop a national identification system for livestock. We strongly encourage Wisconsin to support programs that are national in scope. An animal ID system should be confidential, not create an additional paperwork burden and recognize that the original owner has no control over the animal once it leaves the farm."

WFBF supports establishing a livestock premise identification program in Wisconsin as long as it works seamlessly with the national program being developed by USDA. Wisconsin producers cannot afford the time or the cost to participate in two separate programs. In addition, WFBF believes that the cost associated with the program should be shared among consumers, state and federal governments, the food industry, and producers.

Thank you for considering our views. If you wish to discuss this further, please contact me at 608-828-5708.



## **Testimony**

### **Livestock Premise Identification Legislation**

#### **Assembly Bill - LRB-371/3**

**Thomas L. Lyon**

The Bovine Spongiform encephalopathy finding in Washington State only highlights, magnifies and adds urgency to a problem dairy and livestock interests recognized some years ago, when the world-wide need for traceability was becoming greater and the capacity to do so declining.

In Wisconsin about five years ago a small group of Wisconsin livestock industry leaders who were exposed to identification programs in the Netherlands and France where animals are enrolled in a national system within 48 hours of birth, began to advance the idea of a value-added program for Wisconsin. At that time a positive tuberculin heifer had made a costly trip through Northeast Wisconsin, and the elimination of the mandatory calf vaccination for brucellosis had left a large share of the state's bovine population without any permanently recorded identification. It was also recognized that many countries importing Wisconsin livestock and processed food products would be demanding greater traceability. At that time, the program was thought to be one of producer service that provided the opportunity for adding market value.

After about two years of discussion, a non-profit organization, the Wisconsin Livestock Identification Consortium was formed. It began operating with a DATCP agricultural development grant followed by a federal grant of \$750,000 accomplished through the efforts of Senator Kohl and Congressman Obey. This amount has been followed with another \$750,000 grant. As more livestock groups saw the need for such a program and the Animal and Plant Health Inspection Service (APHIS) of USDA made identification a priority, 37 organizations and individuals joined the consortium. In 2002, A CEO was hired to develop a strategic business plan and begin the process of making such a plan operative. The premise system was introduced at the 2003 World Dairy Expo and WLIC now has an operative pilot program using the web based premise system. In addition, an individual animal ID program is expected to be ready for testing soon.

### **From Voluntary to Mandatory**

When the framers of the program began the effort it was thought that for some time it would be a voluntary program. Events like TB in Michigan, California and Texas, New Castle in California, CWD, trade restrictions, and now BSE have now placed the need for a mandatory premise registration program on a fast track.

Previous to this year, the Animal and Plant Health Inspection Service at USDA (APHIS) had spent their time developing outlines of identification systems, serving as an educational resource, organizing a national discussion group on the subject, organizing pilots and providing consultation to the Wisconsin consortium. That attitude changed

dramatically when Homeland security and the threat of bio-security and bio-terrorism became front burner issues.

And now USDA Secretary Veneman has called for an operative national livestock ID program as a key component of the BSE tracing effort.

In acknowledging the immediacy of the need to move forward, the Wisconsin Livestock Identification Consortium voted unanimously, with one member abstaining, to advance legislation that would require dairy and livestock producers, livestock marketers, and the registered persons who hold deer to obtain a premise registration through DATCP with the data base managed under contract by WLIC.

From the earliest days of developing the program, it was concluded to be in both the state's and industry's best interest, if the holding of the data was kept outside state government. Under the plan, State government, through a memorandum of understanding, would have access to information that is needed for them to carry out their regulatory responsibilities but would not have access to information producers and marketers might include in the data base for their use in herd management and the development of value added opportunities. As one would expect, opposition to the mandated premise registration program centers around confidentiality and costs. It is explicit in the language that information provided to DATCP under this bill is not public information, except for information that is required to be provided under other laws.



Information in the data base, but not necessary to the administration of DATCP's regulatory responsibilities would be the property of the producer or marketer and only released with their approval.

Under current law, DATCP makes payments to owners of animals that DATCP order killed to control animal disease. Current law specifies several situations in which owners are not eligible for a payment from DATCP if the person did not register or pay a fee as required by the bill.

Costs of any mandated program and who pays is always an issue and premise registration is no exception. The legislation calls for a fee of up to \$30.00 per year to be paid by the prescribed license holder. The foresight of Wisconsin's livestock interest places it in a stand alone leadership position in the costs area, having received \$1.5M of federal money to design and test a program that is in concert with the federal plan.

Any fees will be used by DATCP to administer the base program, provide for some enforcement, and contract with WLIC maintenance of the data base. It would be hoped that through homeland security and now the pronouncement of USDA much of the early costs can be garnered through grants and appropriations. Premise registration is the small piece of the costs pie. Down the road when the individual and batch identification becomes mandatory to provide for the 48-hour registry and trace back, costs may rise considerably.

## **Why Premise First**

The foundation of the program is identifying all production points where livestock are raised and/or held. While this simple and basic component of the system is often taken for granted, the United States does not currently have such a system. WLIC is taking the lead in this development as it will be the cornerstone of what's put in place nationally. It is difficult to respond to an animal disease problem successfully if it is not known who is in the livestock business. Some producers are concerned about the liability associated with traceability. Yes, it will be easier to trace a problem through the production, processing and marketing chain with premise registration. On the other hand, it will provide those same interest protection against more widespread quarantines and disposals when problems are identified. I had first hand experience when the TB positive heifer wandered through Northeastern Wisconsin some years ago. Improved traceability could have reduced the losses.

As the legislation is presently proposed registration would apply to any premise holding bovine animals, goats, sheep, swine, or farm-raised deer, any poultry operation of more than 20 animals, and any horse farms holding more than 5 animals.

## **Support For the Wisconsin Plan**

I indicated earlier that 37 organizations and individuals hold membership in the consortium, and have had a hand in constructing and guiding its course. With the

exception of one abstention, all have endorsed the action being taken. In recent weeks other players have put their oar in the water and are supportive. Parties reluctant to move ahead have taken an attitude of - Let's wait until the feds tell us we have to register. The wait is over. USDA has made their intentions clear. The Wisconsin program will be a model advanced to other states and regions by USDA. The dairy and livestock industries of Wisconsin have an opportunity to play a significant leadership role if we move quickly and decisively.

### **Status of Wisconsin Dairy and Livestock Industry**

There can be no question that for some time the Wisconsin livestock industry has been in decline. There are 900,000 less bovines roaming the Wisconsin landscape, than in 1980, and hog numbers have gone from 1.7M head in 1980 to 520,000 two decades later. Such losses dramatically affect the opportunities for those who wish to continue in the industry -- producers, services, markets, jobs, and tax base. I believe the situation is now critical enough that decision-makers are attempting to improve this economic sector. Evidence can be found in the newly proposed siting legislation, tax credits for modernization, TIF districts for production agriculture, and a new veterinary diagnostic laboratory to name a few of the initiatives. Premise registration is another piece to this puzzle that should be acted upon and put in place as soon as possible.

# How California is tackling bovine TB

SINCE May 2002, California confirmed bovine TB in three dairy herds — two in Tulare County and one in Kings County. All three herds were quarantined, the cattle destroyed, and the affected premises cleaned and disinfected. Cattle sold from or associated with each herd are being traced and tested.

On April 25, 2003, California was classified as TB Modified Accredited Advanced (MAA) and can reapply for accreditation-free status in April 2005, provided no additional infected herds are detected.

As of October 31, 2003, 592,845 cattle in 435 herds have been tested for TB since this investigation began, and about 13,000 cattle have been depopulated.

| Cumulative since May 13, 2002     |         |
|-----------------------------------|---------|
| Number of herds tested            | 435     |
| Number of animals tested          | 592,485 |
| Number of herds quarantined       | 3       |
| Number of cattle destroyed        | 13,000  |
| Average number of field personnel | 30      |

During 2003, 11 new TB-infected herds were diagnosed in the U.S. (four beef and seven dairy herds). Nine of these herds have been depopulated, while two New Mexico dairy herds and two Michigan dairy herds are quarantined and tested routinely to remove infected cattle. Forty-six states are now classified as Accredited TB-Free, three are MAA (California, Texas, and New Mexico), and one is Modified Accredited (Michigan). Last October, the National TB

Committee met at the U.S. Animal Health Association's annual convention and proposed changes to the national TB eradication program. Surveillance for TB in both live animals and at slaughter was discussed. Changes were made to intensify screening at both levels.

A standard for slaughter surveillance was adopted. Now at least five granulomas (lymph node tissue samples) from suspicious animals must be submitted for testing per 10,000 adult cattle slaughtered.

Also, a standard for veterinarians testing live cattle was adopted. Now at least 1 percent caudal-fold responders are expected due to Johne's infection, avian TB exposure, or some other factor. Reporting of lower incidences raise questions about the screening effort.

A state's classification may be affected if these minimum standards are not met.

### Impact on producers . . . .

As of now, all breeding cattle and bison leaving California require official identification and a negative official TB test within 60 days of being moved unless they are:

- Moved to slaughter at an approved slaughter plant.
- From an accredited herd with a certificate showing the herd completed all testing for accredited status with negative results within one year before moving.

To date, the new TB requirements do not apply to sexually intact heifers moving to feedlots or steers and spayed heifers. However, some states have more restrictive policies for moving cattle. Owners should always check with the state of destination for their requirements.

Agreements developed with neighboring states ease the TB testing requirements on breeding beef cattle moving interstate annually for grazing on approved pasture-to-pasture permits. Breeding beef cattle, 24 months of age and older, require a TB test within 12 months of application for the permit and subsequently every three years to continue to move annually until California's TB status changes.

Since August, California has required a TB test on all breeding dairy cattle entering the state.

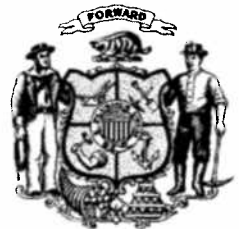
### California's plan . . . .

CDEA, USDA, and the cattle industry are working together to control and eradicate bovine TB from California. The plan includes:

- Test all dairies in Fresno, Kings, and Tulare Counties (about 773,000 milking cows in 700 herds).
- Enhance slaughter surveillance, the primary method for detecting new cases of bovine TB, throughout California.
- Enhance live animal testing procedures through training and education.
- Regain "free" status by the year 2005.



# WISCONSIN STATE LEGISLATURE



**2003 BILL**

1     **AN ACT** *to renumber* 95.55 (3); *to renumber and amend* 95.68 (4); *to amend*  
2           20.115 (1) (gb), 20.115 (2) (ha), 95.55 (2), 95.68 (8) and 97.22 (2) (c); *to repeal*  
3           *and recreate* 95.55 (3) (title); and *to create* 20.115 (2) (gm), 95.36 (10), 95.51,  
4           95.55 (3) (b), 95.68 (4) (b) and 97.22 (2) (bm) of the statutes; **relating to:**  
5           registration and identification of livestock premises, granting rule-making  
6           authority, and making an appropriation.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) conducts various activities to protect animal health and food safety. DATCP licenses dairy farmers and operators of livestock markets and registers persons who keep deer (including elk).

This bill requires certain persons who keep livestock in this state to register annually with DATCP and to pay a fee for the registration. For the purposes of this bill, "livestock" means cattle and bison, horses, goats, poultry, sheep, swine, deer, and any other kind of animal that DATCP identifies by rule. To be covered by this bill, a person keeping poultry must have more than 20 animals and a person keeping horses must have more than five animals.

The bill does not require dairy farmers and livestock market operators that are licensed and deer keepers who are registered under current law to obtain the registration under this bill, but they are required to pay the fee for registration, in

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addition to the current fees for licensed dairy farmers and livestock market operators and registered deer keepers.

The bill requires DATCP to assign a premises identification number to each location where livestock are kept and to maintain a data base containing the identification numbers and related information. Information provided to DATCP under this bill is not public information, except for information that is required to be provided under other laws.

Under current law, DATCP makes payments to owners of animals that DATCP orders killed to control animal disease. Current law specifies several situations in which owners are not eligible for these payments. Under this bill, the owner of an animal that DATCP orders to be killed to control animal disease is not eligible for a payment from DATCP if the person did not register or pay a fee as required by the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.115 (1) (gb) of the statutes is amended to read:

2           20.115 **(1)** (gb) *Food regulation.* The amounts in the schedule for the regulation  
3 of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w),  
4 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22 (2) (b) and (4), 97.24, 97.27,  
5 97.29, 97.30 (3) (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food  
6 shall be credited to this appropriation.

7           **SECTION 2.** 20.115 (2) (gm) of the statutes is created to read:

8           20.115 **(2)** (gm) *Livestock premises registration and identification.* All moneys  
9 received under ss. 95.51 (2) (d), 95.55 (3) (b), 95.68 (4) (b), and 97.22 (2) (bm) for the  
10 administration of livestock premises registration and identification under s. 95.51.

11           **SECTION 3.** 20.115 (2) (ha) of the statutes is amended to read:

12           20.115 **(2)** (ha) *Inspection, testing and enforcement.* All moneys received under  
13 ss. 93.06 (1f) and (1g), 95.55 (3) (a), 95.57, 95.60 (5), 95.68 (4) (a) and (5), 95.69, 95.71

**BILL**

1 and 95.715, to be used for animal health inspection and testing and for enforcement  
2 of animal health laws.

3 **SECTION 4.** 95.36 (10) of the statutes is created to read:

4 95.36 **(10)** If the owner of the animal has failed to comply with s. 95.51 (2) or  
5 has failed to register or obtain a license under s. 95.55, 95.68, or 97.22 or to pay fees  
6 required under s. 95.55, 95.68, or 97.22.

7 **SECTION 5.** 95.51 of the statutes is created to read:

8 **95.51 Livestock premises; registration and identification. (1)**

9 DEFINITION. In this section, "livestock" means bovine animals, equine animals, goats,  
10 poultry, sheep, swine, farm-raised deer, and any other kind of animal that the  
11 department identifies by rule for the purposes of this section.

12 **(2) ANNUAL REGISTRATION.** (a) Except as provided in sub. (3), no person may do  
13 any of the following at a location in this state unless that person annually registers  
14 that location with the department:

- 15 1. Keep any bovine animals, goats, sheep, swine, or farm-raised deer. *\*use animal units?*
- 16 2. Keep more than 20 <sup>② livestock</sup> ~~animals~~ that are poultry.
- 17 3. Keep more than 5 equine animals.
- 18 4. Keep any other kind of livestock that the department identifies by rule.

19 (b) A registration under par. (a) expires on December 31. A registration is not  
20 transferable between locations or registrants.

21 (c) A person shall register under par. (a) on a form provided by the department  
22 and shall provide all of the following information:

- 23 1. The registrant's legal name and any trade names under which the registrant  
24 keeps livestock in this state.
- 25 2. The registrant's business address.



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1           3. The address of each location at which the registrant keeps livestock in this  
2 state.

3           4. The type of livestock kept at each location under subd. 3. and the type of  
4 livestock operation, using standards and guidelines from the national animal  
5 identification plan developed by the animal and plant health inspection service of the  
6 federal department of agriculture, to the extent practicable.

7           5. Any other relevant information required by the department.

8           (d) A person registering under par. (a) shall pay the fee that the department  
9 specifies by rule.

10          **(3) EXEMPTIONS.** The annual registration requirement under sub. (2) does not  
11 apply to any of the following:

12           (a) A person registered under s. 95.55 to keep farm-raised deer.

13           (b) A person licensed under s. 95.68 to operate a livestock market.

14           (c) A milk producer licensed under s. 97.22.

15           (d) Any other person that the department exempts by rule, including  
16 exemptions based on the number or type of livestock kept by a person or on the type  
17 of locations where a person keeps livestock.

18          **(4) PREMISES IDENTIFICATION.** (a) The department shall assign a unique  
19 identification number to each location registered under sub. (2) (a) or s. 95.55 or  
20 licensed under s. 95.68 or 97.22. A premises identification number is not  
21 transferable between locations, but is transferable between registrants or license  
22 holders. The department shall use a uniform numbering system that is reasonably  
23 designed to facilitate animal health and disease control, interstate consistency, and  
24 interstate commerce. \*The department shall use premises identification numbers  
25 that are federally allocated for premises in this state.\*

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1 (b) The department shall establish and maintain an electronic data base  
2 related to livestock premises in this state. The department shall include in the data  
3 base the premises identification number assigned to each location under par. (a) and  
4 the registration or license information under this section or s. 95.55, 95.68, or 97.22  
5 that is associated with that premises identification number. The department may  
6 include in the data base global positioning system coordinates and other information  
7 that the department considers appropriate.

8 (5) <sup>(Linda H.)</sup> \* Add: producers would be able to release info  
CONFIDENTIALITY. Information that a person is required to provide to the  
9 department under sub. (2) is not subject to public inspection under s. 19.35. This  
10 limitation on public inspection does not apply to information that a person is  
11 required to provide to the department under other laws.

12 (6) RULES. (a) The department shall promulgate rules specifying fees to be paid  
13 by persons who are required to register <sup>(4) premise</sup> under sub. (2) (a) and s. 95.55 and required  
14 to be licensed under ss. 95.68 and 97.22. The department shall design the fees to  
15 cover the department's reasonable costs to administer this section, not to exceed \$30  
16 <sup>(5)</sup> annually for each person who is required to register. \* Adjust if fee exceed...

17 <sup>(6)</sup> ~~(b) The department may promulgate rules for the administration of this~~  
18 ~~section, in addition to the rules under par. (a).~~

19 **SECTION 6.** 95.55 (2) of the statutes is amended to read:

20 95.55 (2) APPLICATION. A person shall register under this section using a form  
21 provided by the department. The form shall be accompanied by the fee fees specified  
22 under sub. (3).

23 **SECTION 7.** 95.55 (3) (title) of the statutes is repealed and recreated to read:

24 95.55 (3) (title) FEES.

25 **SECTION 8.** 95.55 (3) of the statutes is renumbered 95.55 (3) (a).

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1           **SECTION 9.** 95.55 (3) (b) of the statutes is created to read:

2           95.55 **(3)** (b) In addition to the fee under par. (a), a person required to register  
3 under this section shall pay the livestock premises identification fee specified under  
4 s. 95.51 (6) (a).

5           **SECTION 10.** 95.68 (4) of the statutes is renumbered 95.68 (4) (a), and 95.68 (4)  
6 (a) 3., as renumbered, is amended to read:

7           95.68 **(4)** (a) 3. For an animal market other than one described in ~~par. (a) or (b)~~  
8 subd. 1. or 2., \$100.

9           **SECTION 11.** 95.68 (4) (b) of the statutes is created to read:

10          95.68 **(4)** (b) In addition to the fee under par. (a), an applicant for a license under  
11 this section shall pay the livestock premises identification fee specified under s. 95.51  
12 (6) (a).

13          **SECTION 12.** 95.68 (8) of the statutes is amended to read:

14          95.68 **(8)** RULES. The department may promulgate rules to specify license fees  
15 under sub. (4) (a) or to regulate the operation of animal markets, including rules  
16 related to market operator qualifications, market construction and maintenance,  
17 construction and maintenance of animal transport vehicles, identification of animal  
18 transport vehicles, disease sanitation, humane treatment of animals, identification  
19 of animals, record keeping, reports to the department and compliance with  
20 applicable financial security requirements under state or federal law.

21          **SECTION 13.** 97.22 (2) (bm) of the statutes is created to read:

22          97.22 **(2)** (bm) *Livestock premises identification fee.* In addition to the fee under  
23 par. (b), the livestock premises identification fee specified under s. 95.51 (6) (a)  
24 applies to a dairy farm required to be licensed under par. (a).

25          **SECTION 14.** 97.22 (2) (c) of the statutes is amended to read:





Under national plan it's

Govt - State's  
resp to develop  
premium systems

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Enabling legislation

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Aims → Suppt long  
that would  
immed enact  
national plan  
when ins implemented

\* DATCP - Un, maybe  
can't commit.

Red → says this will  
not be in conflict w/ USDA  
plan.

---

Robert → interfacing  
w/ National System  
following together  
w/ FedS

When we found CWD  
leg found \$ for

DHTZ - mass

w/ BSE, why isn't  
legis. acting

Deer - \$1 B ind.

Produ. Ag. - \$20 B



Yama types must be  
used for purpose

chang. must prevent  
raiding.

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Conf → Antas Agency?

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Paul Z.

Gain DATCP tools  
to admin feed, but  
do not box dept.

in .



Handy Report

Dub → Written last.

~~Perk P produces A Written~~

Bern Brancel:

Sec. will speed up process  
of animal ID system  
that will work w/  
States to develop a  
complete system

Copy launch -  
copy of writing  
comments

Hinder H. - Copy of comm.

re: Conf. → allow  
producer to release  
info to others

WLIC would monitor  
rules - feels it's  
important



\*Add link to  
account for poss. fed #.

Sec. 11 + Combyon

Quick Passage Requested

- Meat Industry is  
very big in US

Food Safety + economic  
issue

Given the size of our  
industry we have  
more at stake than  
UK or Canada

~~from~~  
Written Comments.

Clowns → not an ag  
industry problem  
- producer cannot  
re recuperate costs

Williams → new owner,  
new fuel?  
Not sure.

Kestell → Ahead of us.?  
or comparable?

Babier → intent of mat.  
level is to follow our  
lead



Premise 10 →

Bobbie: Suggested Amend

~~Already agreed to~~

① delete 10 → change to  
↳ in all places  
registration

② pg. 3, line 14

③ pg. 5, line 14

Only if annual  
fee remains

④ line 13 add premise

⑤ delete annually

⑥ why?

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- Omp. to act expeditiously

- Use GPR to cover costs of prog.  
... can remain fees.