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*Testimony before the Senate Committee on Agriculture, Revenue and Financial Institutions
Senator André Jacque
February 6, 2020*

Chairman Marklein and Committee Members,

Thank you for holding a hearing on Senate Bill 737, relating to creating a voluntary individual animal identification program. Animal disease traceability helps animal health officials know where diseased and at-risk animals are, where they've been, and when. A comprehensive animal disease traceability system is our best protection against a devastating disease outbreak.

Senate Bill 737 requires the Department of Agriculture, Trade and Consumer Protection to create a voluntary individual animal identification program for livestock owners. Under the program, DATCP would maintain an online list of retailers that supply radio frequency identification number that is connected to the livestock premises identification code for the animal's premises of origin. While there are several steps USDA needs to take in order to strengthen its traceability system, the most essential one is to move from metal identification tags to electronic identification tags. The electronic tags use radio frequency identification (RFID), which speeds information capture and sharing.

Senate Bill 737 allows DATCP to contract with an agent to collect and maintain individual animal identification records, which may include submitting the information to an existing state or federal database.

Beginning January 1, 2023, animals that move interstate and fall into specific categories will need official, individual RFID ear tags.

An effective and efficient animal identification system is the foundation of being able to perform proper trace back and trace forward investigations during a disease outbreak. This ensures the spread of the disease can be controlled with the least impact to individual producers and the industry as a whole.

Thank you for your consideration of Senate Bill 737.



GARY TAUCHEN

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Chairman Marklein and members of the Senate Committee on Agriculture, Revenue and Financial Institutions – thank you for allowing me to testify on Senate Bill 737.

Recent news reports have struck a nerve in China, the United States, and around the world. The Centers for Disease Control (CDC) traced-back the origins of the Novel Coronavirus to the “Wuhan South China Seafood City” (which encompasses the South China Seafood Wholesale Market and the Hua Nan Seafood Market). On January 27, 2020 the CDC issued a travel advisory warning for all nonessential US travel to mainland China. This advisory was due to reports of a quarantine in areas of Wuhan, widespread infections, and reported deaths. Since then, the Trump Administration has declared a health emergency and implemented a mandatory 14-day quarantine for people returning from the area. This is the first quarantine order in 50 years. Also, the African Swine Fever in Asia, which began over a year ago, has claimed more than 5 million hogs to date. History has shown that these types of outbreaks will not only affect human life, but also have the potential to seriously damage economies, lifestyle, food supply, and food markets.

About 60% of diseases are zoonotic – those that spread from animals to humans. The CDC has classified means of transfer as “Direct Contact” (with an infected animal), “Indirect Contact” (with infected animal environments), “Vector-Borne” (ticks and mosquito), or “Foodborne” (unpasteurized milk, or undercooked meat/eggs). SARS, BSE, Zoonotic Tuberculosis, Listeria, E.coli, and Salmonella have all impacted human health, economies, and animal markets.

I am a strong advocate for animal health and food safety. Livestock premises registration, individual animal identification, and traceability strengthen our tools to protect human life, and limit the negative impact to Wisconsin’s number one economic engine: agriculture. Voluntary individual animal identification tied to premises registration provide a strong foundation for food safety and access to international markets.

Wisconsin Livestock Identification Consortium (WLIC) and DATCP have established an effective partnership. WLIC and DATCP have developed a cost-effective, market-driven program based on a public-private partnership. An identification and records program is key to quick response and recovery. Everyone deserves a safe and secure food supply. Food safety is essential – producers are in the food business. Today’s consumers demand a focus on quality and safety in food products.

No law, regulation, or policy will prevent diseases from occurring. However, passage of SB 737 will be a proactive step to limit market disruptions and give our public health response teams a powerful tool for quick response.

Thank you again for holding this hearing on SB 737 and allowing me to testify. I am happy to answer any questions you may have.



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection

February 6, 2020

Re: SB 737: creating a voluntary individual animal identification program and granting rule-making authority

Chair Marklein, and members of the Senate Committee on Agriculture, Revenue and Financial Institutions, thank you for the opportunity to provide information about Senate Bill 737 related to creating a voluntary individual animal identification program and granting rule-making authority. My name is Dr. Darlene Konkle, and I am the State Veterinarian and Administrator of the Division of Animal Health at the Department of Agriculture, Trade and Consumer Protection. With me today is Dr. Gretchen May, who is a Veterinarian Program Manager at DATCP. Dr. May manages the state's animal disease traceability program. I will briefly describe the work the department does with regards to animal identification and how SB 737 might impact those efforts.

Background:

DATCP rules require the official identification of animals in certain circumstances, including:

- Livestock animals going to markets or dealers, with specific exceptions by species;
- Livestock animals being tested for specific diseases;
- Cattle imported into the State, with some exceptions;
- Cattle receiving vaccination against specific diseases;
- Farm-raised deer that are at least 12 months old and enrolled in the CWD herd status program;
- Farm-raised deer that are moving, with exceptions for movement to slaughter; and
- Sheep and goats when they leave their farm of origin, with a few exceptions.

While official ID is required for each of these circumstances, the form of official ID is not required to be radio frequency identification or RFID tags. However, RFID tags do have an advantage over non-RFID official tags in that they can be read electronically and easily incorporated into records. This can speed up the ability to read and record identification numbers, reduces chances for animal and human injury, and improves accuracy.

Comments on the bill and amendment:

SB 737 would require DATCP to create and administer a voluntary program under which a person who has obtained a livestock premises registration may obtain RFID tags. DATCP would evaluate opportunities for sharing animal ID records with other state and federal databases with the goal of improving animal traceability. Under the amendment, DATCP would post a link on its Internet site to USDA's list of authorized manufacturers. DATCP would promulgate rules, including rules substituting other technologies if RFID becomes obsolete in future years. Efficient animal traceability is critical to rapidly address disease issues. Upon introducing AB 812, Representative Tauchen and his staff contacted DATCP, to run the bill by our staff. We

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appreciated the opportunity to work with Representative Tauchen, and his staff on a couple of minor language changes based on department feedback.

Thank you again for the opportunity to provide information on SB 737 as it is currently written. We would be happy to answer any questions committee members may have.



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TO: Senate Committee on Agriculture, Revenue and Financial Institutions
FROM: Daniel Smith, President and CEO of Cooperative Network
DATE: February 6, 2020
RE: Senate Bill 737 – Voluntary animal ID program

Dear Chairman Marklein and members of the Committee,

My name is Daniel Smith. I serve as President and CEO of Cooperative Network, an association of more than 250 cooperatives from a dozen business sectors in Wisconsin and Minnesota. All of our cooperatives rely on, and serve, agriculture and our rural communities. As you know, animal agriculture is an essential part of our state's economy and heritage.

I also serve on the board of directors for the Wisconsin Livestock Identification Consortium, and on the board of the Wisconsin Department of Agriculture, Trade and Consumer Protection. I previously served as the Administrator of Agricultural Development at DATCP, and for thirty years, owned and operated my own dairy farm. I have lifelong experience and a deep commitment to agriculture, the industry that provides the safest and most abundant food system in the world.

Protecting that system is why I speak in support of creating a voluntary individual animal identification program, with the appropriate rule making authority, as specified under Assembly Bill 812. This legislation will help ensure livestock animal health through traceability; protect and support our agricultural economy; maintain consumer confidence; and assure international market access for our farm products.

That last point, international market access, is especially important. Wisconsin agriculture has the international trust and respect earned over time by our farmers, processors and export companies. It is essential that we have in place a livestock traceability system that allows us to respond quickly when threats occur. We have the technology in hand to respond quickly and accurately to isolate and eradicate a disease outbreak. I urge you to pass legislation to create a voluntary individual animal identification program for the wellbeing of Wisconsin animal agriculture.

Thank you.

A handwritten signature in black ink that reads "Daniel M. Smith". The signature is written in a cursive, flowing style.

Daniel Smith



MEMORANDUM

TO: Members of the Senate Committee on Agriculture, Revenue and Financial Institutions

FROM: Eric Johnson, President, Wisconsin Cattlemen's Association

DATE: February 6, 2020

RE: Voluntary Livestock Identification AB 812 (*Information Only*)

Senator Marklein and Members of the Committee, thank you for allowing me to testify today on **Senate Bill 737**. My name is Eric Johnson and I am the President of the Wisconsin Cattlemen's Association.

Right now, the WCA has a policy stating our support for Wisconsin's current premises identification program. Under current law, all premises where livestock are housed or kept must register with DATCP and report information to the Wisconsin Livestock Identification Consortium (WLIC). However, WCA does not currently have a policy on implementation of individual animal ID in Wisconsin. So, I am testifying for **information only** today.

There are several benefits provided by this legislation that should generate voluntary participation in this program by producers. Export markets: Individual ID and accurate traceability continue to be a requirement for many export markets (age and source verification).

Also, individual animal ID helps address biosecurity concerns. For example, right now in the U.S., we do not have a system in place to trace an outbreak of any type of contagious livestock disease. Having an animal ID system and method for traceability will help in that situation. Premises ID has already proven to be essential when it was used in Wisconsin to trace and contain the avian influenza outbreak a couple of years ago. In the event of a disease outbreak, without animal identification and traceability, livestock farms could face prolonged and extended quarantines, which would be financially devastating for Wisconsin cattlemen. (Quarantine times are based on the date that a disease is contained and start from that date.)

However, we do also have a concern with this legislation. This bill must protect farmers' privacy. We need to ensure that under this bill, location and farm data is maintained securely and protect from open records requests that provides a clear and detailed list of legitimate reasons for sharing of producers animal ID information (such as a biosecurity event). This protection is needed so that production information cannot be used as a business advantage. The concern is that if we allow individual animal ID, the states and the federal government will have a complete and accurate inventory of all animals in the U.S. If that information is released to certain parties, it



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could be used to manipulate prices. Protection of farmers' information is critical to the success of an animal identification program.

In conclusion, the WCA will carefully evaluate this legislation and will be developing a policy position on individual animal ID. We appreciate the leadership shown by Senator Jacque and Representative Tauchen on this issue because implementation of individual animal ID has been postponed repeatedly on the national level repeatedly.

Thank you for allowing me to testify today. I would be happy to answer any questions.

SB 737

Proposed 2019 - 2020 Bill for 95.185 to WI Statutes. Comments from Dr. Lynn Schultz

This voluntary individual livestock identification program is a progressive step forward in protecting Wisconsin animal agriculture by:

- #1. Helping to ensure livestock animal health (by improving Animal Disease Traceability – ADT),
- #2. Supporting economic well-being for agriculture reliant communities,
- #3. Assuring market access for our livestock origin products destined for domestic and export markets.
- #4. Maintaining consumer confidence and trust in the food and fiber from WI origin livestock products.

This is a “nuts and bolts” bill that facilitates the transition to faster, more efficient and accurate mechanisms of tracing livestock movements. Because radio frequency identification ear tags (RFID) can be scanned and read by digital reading devices (such as hand held wands and stationary panel type readers), the required time to manipulate an animal’s head to manually read a small government official metal tag is bypassed. This unique 15-digit official RFID number can be immediately scanned and that unique number recorded and sent by blue tooth technology to a computer, tablet or smart phone. Not only does this method improve speed and accuracy of identifying individual animals, it also eliminates potential human injury while handling an animal’s head along with possible errors in reading and writing down the small 9 numbers and letters of the old government official tags still used routinely today. These metal ear tags (NUES tags for National Uniform Ear-tagging System) have been used for over 50 years as official ID. Metal tag distribution is accomplished under Federal law through state animal health authorities. These old-style official tags are provided at no charge to Veterinarians, Livestock auctions, Cattle Dealers and production farms with those unique tag numbers assigned (in Wisconsin) to their Premise Identification Number (PIN). The metal tags can only be used on animals for that facility under that PIN. (New RFID tags are also assigned and can only be received and used at that unique livestock premise in WI.)

We anticipate that the USDA-APHIS will be phasing out the distribution and use of the small metal tags as official ID in the next couple of years. The use of RFID tags for interstate movement of livestock will then replace the metal ear tags as official ID.

Again, the RFID tags purchased by livestock farms under this program will be assigned to that farm’s unique premised identification number (PIN). Since the RFID tags are official ID they can’t be removed from that animal and serve to trace that animal back to its herd of origin if it is sold and moved away for feeding, breeding, production or slaughter.

WI led the nation early in this 21st century with our law mandating individual livestock farm premise identification. This program is ongoing with Livestock Premise Identification responsibilities contracted by WDATCP to the non-profit WLIC, Wisconsin Livestock Identification Consortium. Since its inception (2004) the WLIC manages and holds farm premise records in confidence. Confidentiality is greatly valued by livestock farmers and agriculture support groups. Farm premise data held by the WLIC are NOT subject to open records searches.

WI hasn’t required the official ID of individual animals, unless they are to be transported across state lines. (Then animals must be officially IDed, inspected and travel with a Certificate of Veterinary Inspection signed by a WI licensed and Federally accredited DVM).

In other states, Michigan regulations, for example, require cattle to have RFID's before leaving their farm of origin. Michigan has areas where Tuberculosis has become established in the wild white-tailed deer population with interactions causing TB in cattle. Hence, more strict individual animal ID and movement control requirements.

and testing

With WI's huge economic impact of livestock agriculture, we should be leading with the adoption of this advantageous RFID technology – that facilitates ADT at digital speed. An animal's RFID tied to its farm of origin premise ID (PIN) will go into the digital database managed by the WLIC in cooperation with our WDATCP. This database can provide rapid animal movement tracking / traceability in the event we need to isolate, control and eradicate an emergency livestock disease outbreak. The information in the digital data base can be shared with Federal authorities and other states in real time to limit disease spread faster. (*A note here is that many animals move within states and across state lines still using a paper copy of the C.V.I. – these take longer periods of time by the WLIC to manually type into the WLIC - DATCP premise database and extends the time required to research animal movement in a disease situation when time is really critical.)

An example: Recently WI had a Dane County ^{airy} herd diagnosed with TB. A cow from the herd was found to have TB at slaughter inspection. That cow had an RFID tag which facilitated the trace back and official action by our DATCP Animal Health division with that cow's herd of origin.

The U.S. and WI livestock industries are well aware of the risk we share in the event that a contagious foreign animal disease (FAD) infects our herds. The USDA – APHIS, our state animal health officials and practicing Veterinarians are responsible on a daily basis to watch for, report and take immediate action on any potentially devastating foreign animal disease such as Foot & Mouth disease and African Swine Fever. If a FAD infection is detected animal movements would be halted to prevent the spread. So, not only animal health is affected by a severe disease but market access and product flow to the consuming public (domestic and export) will be limited immediately. The use of RFID technology and ability to trace animal movements quickly will speed the process of isolation for eradication and can also show where disease affected animals didn't move.

This voluntary RFID program as detailed in this bill moves WI Forward by putting the "machinery in place" for when the USDA transitions away from metal tags to RFID official ear tag livestock ID requirements.

Digital I.D. technology not only increases speed and accuracy in an emergency disease outbreak isolation / eradication situation. Data developed will also assist in risk analysis, showing premises where a disease hasn't spread to, or where there is low risk of spread. Decisions can be made where milk and other livestock products can move and continue to be distributed to the consuming public – with less disruption.

RFID

In summary, this bill authorizing the WDATCP to create a voluntary individual animal identification program facilitates faster animal and premise traceability that provides for faster, more definitive action in an emergency livestock disease outbreak. It is a step forward accomplishing:

1. Protecting Animal Health & Livestock Resources
2. Prepares WI livestock agriculture and the WDATCP for upcoming USDA elimination of metal ear tags and requiring RFID tags.
3. Joins our WI Premise Registration requirements adding RFID tags tied to that farm's premise PIN.
4. Facilitates fast accurate tracing of animal movements and using electronic CVI's vs. manual paper copies.
5. Traceability of individual livestock from the farm of origin can provide an economic advantage when competing for domestic and export markets for our animal origin products.
6. Demonstrates to retailers and our consuming public, dedication to livestock animal health from the broad perspective of quality "from farm to fork".

Additional comments to address why this bill is voluntary in nature instead of mandating required RFID use at this time. The financial aspects of animal agriculture are evident with money being very tight and livestock farms leaving the business in record numbers. RFID tags do have a cost above official metal tags, and any additional cost without benefit is perceived as unacceptable. *I'VE OUTLINED THE BENEFITS ABOVE*

some

Also, a new program just announced by the USDA within the past week will be offering free RFID "840" ID tags as an alternative to the metal tags currently and historically offered for official ID. More details on this Federal program are forthcoming. The initial information indicates that obtaining RFID tags will be similar to obtaining the metal tags – state animal health departments will be involved and livestock farms will be required to have a premise Id (PIN) in order to get RFID tags through the new USDA program. We need to know more details of this program. But the timing of this hearing and the actions indicated in this bill 95.185 appear to dovetail into the proposed new USDA program.

SB737

Any questions?

SB737

Sincerely,



Dr. Lynn Schultz