

Maryland Farm Bureau's Government Relations Bulletin



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Hurricane Preparedness Plans Should Include Pets & Livestock

MDA Press Release - ANNAPOLIS, MD (August 24, 2011) – With Hurricane Irene's approach to Maryland, it is important to include pets and livestock in your disaster preparedness plans. Disasters such as hurricanes, tornadoes and floods, can occur at any time. The time to prepare for these events is before they occur.

According to the Maryland Emergency Management Agency (MEMA), Maryland is a hurricane prone state. Hurricanes can and have impacted the state as far from the coast as Western Maryland with "inland flooding" of freshwater creeks, streams and rivers due to intense rainfall. After a large and strong storm, heavy wind and water damage can be expected in coastal areas. Hurricanes can spawn tornadoes, flooding, flash flooding, hail and lightening. Most of the fatalities from hurricanes and tropical storms are due to inland floods, and most of the victims are children.

MDA recommends the following for farmers to prepare for hurricanes or tornadoes that may impact their area:

- Move all poultry and livestock to high ground and shelter them in securely battened barns, houses, or tightly fenced areas.
- Cover and secure all water, food, and medical supplies for poultry and livestock.
- Pump and collect adequate supplies of drinking water in case of electrical failures.
- Top off all gasoline, propane, and other fuel tanks.
- Check operations of all portable generators.
- Remove or secure all loose objects that could be moved by high winds.
- Board all glass windows and other similar items that could break from high winds or from objects being blown against them.
- Ensure that all animal holding areas are as clean and sanitary as possible.
- Have available portable radios, extra batteries, flashlights, and candles.
- Follow instructions and advice given by emergency officials.
- Notify MDA through MEMA if any agricultural assistance is needed before, during, or after the storm, including injured animals in need of veterinary assistance or dead animals that require disposal.

If you must evacuate, remember to take your pets with you and have a plan on where to send them. Red Cross shelters do not allow pets. Maryland has a Pet Sheltering Plan, which will activate when mass care evacuation centers open. If you need to locate a shelter for your cat or dog during an emergency or disaster, listen to the radio for instructions from local civil authorities, or contact the county emergency operations center for the location of a pet-friendly human shelter or other pet shelter for your pet. Anyone

in the agricultural community who needs assistance should contact their local emergency operation center. For a list of local emergency management offices, see: www.mema.state.md.us

The Maryland Department of Agriculture (MDA) recommends the following for domestic pet owners to respond to pet's needs quickly and safely in the event of disaster evacuation:

- Prepare an animal evacuation kit as detailed by the American Veterinary Medical Association.
- Be sure your pet is up to date on all vaccinations as recommended by your veterinarian.
- Have copies of your pet's vaccination history and medical records to take with you.
- Be sure your pet wears a collar with identification (tattoo, ID tag, microchip, etc.). Include a phone number.
- Have a list of places where you can evacuate with your pet (relatives, pet friendly motels, pet shelters, etc.) if instructed by emergency management personnel.
- Have at least a three-day supply of food, water, and all medication your pet takes, and a few of your pet's favorite toys. Take them with you if you and your pet are evacuated.
- Have a photo of your pet, in case it gets lost, in addition to leashes, collars, and muzzles, if necessary.

"Your animals depend on you to be prepared in the event of a disaster situation," said Maryland State Veterinarian Dr. Guy Hohenhaus. "Take the extra time now to create a comprehensive disaster plan to ensure the safety and well-being of you, your family and your pets and livestock."

The American Veterinary Medical Association (AVMA) offers a disaster preparedness booklet "Saving the Whole Family," which details information on disaster planning for small and large animals. The brochure is available for download in English and Spanish at: <http://www.avma.org/disaster>. The AVMA also offers a video version of the brochure available at: <http://www.avmatv.org/channel.cfm?s=64&c=200>

For more information about disaster planning, contact the Maryland Emergency Management Agency at 1-877-MEMA-USA or log on to www.mema.state.md.us.

Nutrient Management & Environmental Issues Update

Differing Opinions Presented at Farm Bureau/MACo Septics Symposium

August 17, 2011 (Reprinted from the Maryland Association of Counties Conduit Street Blog)

The Maryland Farm Bureau and MACo jointly hosted a Symposium on Septic Systems and Future Growth in Maryland at Chesapeake College on August 16. The Symposium provided a forum for stakeholders to present their opinions on banning or limiting growth on septic systems. As [previously reported on Conduit Street](#), the Task Force on Sustainable Growth and Wastewater Disposal is currently meeting and will make recommendations on septic systems and other growth-related issues for the 2012 legislative session. The Task Force is a result from a proposal by Governor Martin O'Malley and subsequent legislation introduced in the 2011 Session to limit the use of septic systems to subdivisions containing four or fewer homes. The legislation also vested certain land use approval authority with the State.

Maryland Secretary of Planning Richard Hall argued in support of the proposed legislation, noting that with a projected 1 million more Marylanders in the next 20 years, a septic ban would help stop suburban sprawl, protect farmland, and reduce nitrogen pollution in the Chesapeake Bay and its tributaries. He stated that the 2011 bill was modeled after Worcester County zoning restrictions. When questioned about whether some communities could be built on shared facilities, such as package treatment plants, as opposed to septic systems, he stressed that “we need to be careful” with shared facilities.

Jennifer Bevan Dangle and Kelly Carneal from 1000 Friends of Maryland also supported the legislation, arguing that providing services for sprawl growth areas costs 3 times as much while providing less tax base. They argued a multi-family dwelling in a developed community can bring in 9 times the tax amount. They also cited the national trend towards compact, walkable, mixed-use development, which is being driven by young millennials and the elderly, and the need to protect contiguous farmland. Ms. Bevan-Dangle characterized septic systems as “a hidden subsidy for sprawl development.”

House Environmental Matters Chairman Maggie McIntosh, who is also chair of the Task Force, discussed the Task Force’s approach and work. She noted that she was the person who halted the 2011 legislation because she believed it “deserved a broader discussion.” She also believes the Task Force will produce substantive recommendations.

Chairman McIntosh said she recognizes that homebuilding and development are major economic components in the State. But she also noted that agriculture and the seafood industry are also critical components. “We need to preserve what I believe is our heart and our heritage,” she argued.

She also noted the need to address the issue of stormwater and stated the Task Force will look at funding mechanisms to help wastewater, septic, and stormwater. This may include mandatory local stormwater fees or creating a stormwater component under the Chesapeake Bay Restoration Fee

Chairman McIntosh noted that it would be relatively easy to require any new homes built on septic systems to use septic systems with the best available nitrogen removal technology (BAT). However, she noted that it would be much harder to address the underlying issue of why some counties are forced to grow on septic systems. She stressed the need to examine priority funding areas (PFAs) and make sure they work for all counties. She noted Oregon reassess its PFAs every 10 years. The Chairman also stressed the need to avoid a one-size-fits-all solution.

Finally, Chairman McIntosh highlighted the need to set goals and benchmarks for counties and municipalities in a way that does not take away their zoning authority. “I do not want to be the zoning queen of Maryland...I really do believe counties and municipalities should retain that right and privilege,” she explained.

Maryland Senator “EJ” Pipkin maintained that the septic proposal was another component in an ongoing “war on rural Maryland.” He argued, “It is a war against property rights, anti-job, and leads clearly to higher tolls and taxes...But all that pales in comparison with the septic bill that is here today.” He specifically referenced a provision in the 2011 legislation that would have given certain project approval authority to the State. “It’s about control and [land] value,” he explained passionately. The Senator also stated that if land use power were to vest with the State, it would make it easier for opponents to stop a project.

Soil scientist George Frigon gave a detailed analysis on why he believed many of the underlying assumptions concerning the amount of nitrogen pollution produced by septics are wrong. He believes septic pollution is overstated and concluded that nitrogen loadings to the Bay from either wastewater treatment plants using enhanced nitrogen removal or septic systems using approved BAT are extremely low and almost equal.

Frederick County Agriculture Marketing Specialist Colby Ferguson, Kenny Bounds from MidAtlantic Farm Credit, and Tom Farasy from the Maryland Builders Association discussed the economic impacts of the septics proposal. Mr. Ferguson noted that under the 2011 legislation it would be impossible to have economic development in certain rural counties. Mr. Bounds challenged a study by the Harry R. Hughes Agro-Ecology Center that found that downzoning does not negatively affect property values. He noted that a peer-review group found that statement to be false. Mr. Farasy discussed the fiscal cost to comply with the mandates in the septics legislation and Chesapeake Bay Total Maximum Daily Load (TMDL) while still allowing growth to occur. He noted that if the pollution reductions were largely placed on new development, it would take 29 years to reach achieve a 40% nitrogen reduction goal per redevelopment acre and 59 years to achieve a 80% nitrogen reduction goal per redevelopment acre.

Finally, a panel of county representatives presented the county government perspective. Cecil County Commissioner Tari Moore stated that the 2011 legislation “actively intruded on local land use decision-making and had the effect of freezing growth.” She noted the bill raised a number of concerns and issues, including: unintentionally increasing sprawl, the practicality and costs of shared facilities, increasing home prices, and reducing county tax income by reducing the number of taxable parcels. In response to a question about whether the 2011 legislation would take away local land use rights granted under Article 66B, Commissioner Moore replied, “Absolutely...Absolutely they are usurping local land use authority. We are willing to be a partner with the State, but it should not be a parent-child relationship.”

Kent County Planning Director Gail Owings stressed that protecting agriculture has been a longstanding priority in Kent County and one of the lessons learned from the county’s efforts is the need for “local solutions for local conditions.” Ms. Owings stated the need for a county to have many “tools” to address land use and environmental challenges and be able to tailor those tools for county-specific conditions. She expressed concerns over the “mixed purposes” of the 2011 septics legislation and reiterated the proposal could have unintended consequences. She also raised the issue of who will monitor shared facilities or BAT septics to ensure they function as intended. She noted neither the State or the counties have the personnel or resources to manage the responsibility.

Former Calvert County Planning Director Greg Bowen noted that Calvert County had one of the most successful Transfer of Development Rights (TDR) programs in the nation. He felt that the 2011 legislation was wrong by only focusing on a single pollutant source (septics) and argued that nutrient reductions needs to be fairly applied across all sectors. Mr. Bowen raised concern about the legislation’s impacts on local planning and agricultural TDR and easement programs. He also argued against a one-size-fits-all top-down approach that would be governed by State regulations. “I hate to see regulations in place that I can’t defend,” Mr. Bowen explained, “The advantage of local regulations are that you can defend them as you made them.” He concluded, “We need viable solutions with numbers that have been verified scientifically before we move forward.”

Copies of the Powerpoint presentations from the Symposium should be available on the Maryland Farm Bureau’s [website](#) shortly.

Waterkeeper Alliance, Assateague Coastkeeper & University of Maryland Environmental Law Clinic Plan to Appeal the Judge's Ruling in Nutrient Management Lawsuit

Maryland Farm Bureau's involvement in the lawsuit challenging the release of nutrient management information by the Maryland Department of Agriculture is not over. In the last GRB we reported that Judge Mulford of the Anne Arundel Circuit Court had ruled that MDA had to continue to protect plans and annual reports and all identifying information in those documents. This is consistent with his original ruling 2 years ago. But, he also ruled that MDA must release data in a spreadsheet created to summarize the results of each on-farm inspection for nutrient management compliance. A farmer's name, address and other details about the result of an inspection will be released under his ruling.

Last week, the Waterkeeper Alliance & the Coastkeeper, through their free attorneys at the University of Maryland Environmental Law Clinic, filed the necessary papers to appeal the ruling. While they have not filed complete documents about their appeal, it appears they would like to challenge the Judge's original ruling protecting the content and identifying information in a nutrient management plan and annual implementation report that is older than 3 years. The case is now pending in the Court of Special Appeals. It may be 4 to 6 months before all the necessary paperwork is filed and the Court begins to consider the case.

New Nutrient Management Rules Still in the Works at MDA

The draft changes to the nutrient management regulations are still being tweaked at the Maryland Department of Agriculture and have not been sent forward to the AELR Committee for official review and public comment as of the August 24th. The new rules that have been circulated in draft form include mandated stream fencing, restrictions on fall fertilizer, injection/incorporation requirements for organic fertilizer in many instances, mandatory stream buffers, and a prohibition on all winter fertilizer or sewage sludge application. Maryland Farm Bureau is on record opposing many of the provisions originally proposed by MDA.

MDA is expected to submit an updated version of the proposed regulations to the Administrative, Legislative & Executive Review (AELR) Committee of the MD General Assembly for review before the end of August. After AELR reviews the proposal, a period of public review and comment will be set (probably 30 days). AELR may also hold public hearings on the draft regs. MDA hopes to implement the bulk of the new regulations this fall. Maryland Farm Bureau continues to voice major opposition to some of the proposed changes. We will keep members informed as the process moves forward and we encourage all members to review the proposed changes, file comments during the public comment period, and share your concerns with us and with state elected officials.

Maryland Farm Bureau Hosts Texas Farm Bureau VIPs on Regional Tour

Maryland Farm Bureau hosted the Texas Farm Bureau Board of Directors during their recent trip to the Chesapeake Bay region to learn about our environmental challenges. Fourteen board members and staff travelled from Texas to Virginia, Maryland and Pennsylvania to become prepared for what EPA may take to their state next. During their visit to Maryland, the Texas delegation visited with Alan Hudson of Worcester County to hear about the Waterkeeper Alliance poultry litter lawsuit. They also toured the Horn Point Oyster Restoration lab; Robert Murphy's poultry operation in Rhodesdale to discuss new stormwater management requirements, and the Langenfelder's Grand View Farm in Kent County.

Local Farmers Continue their Efforts to Raise Funds to Assist the Hudson Family in their Defense Against the Waterkeepers Alliance – Farmers Across the State Are Urged to Support the Cause

Worcester County Farm Bureau will be hosting a fundraiser for the Hudson Family Legal Affairs on Saturday, October 1st, 12pm-4pm at Hoopers Crab House in West Ocean City. All you can eat Crabs, Shrimp, Fried Chicken, corn on the cob, Hush Puppies, Soda, Coffee, and Dessert. Cash Bar will be available. Tickets are \$50/ person. Maryland Farm Bureau members and others willing to support the Hudson family should contact Lee Richardson, President of Wicomico County Farm Bureau, at (410) 430-2016 to purchase tickets or make a contribution to the fund. This is not just a lower shore or poultry farm issue - if the Waterkeepers are successful in their suit against the Hudson family, farming practices for all livestock and grain producers in the Chesapeake Bay region will be impacted.

Natural Resource Issues

Maryland to Study the Potential Reintroduction of Elk in Western MD

Annapolis, Md. (August 22, 2011) — The Maryland Legislative Sportsmen’s Foundation (MLSF), the Maryland Department of Natural Resources (DNR) and the Rocky Mountain Elk Foundation (RMEF) are pleased to announce the formation of a partnership to determine the viability of elk reintroduction to Western Maryland. The biological, social and economic feasibility assessments will require a minimum of 12 months to complete and will be thoroughly evaluated before any decision is made.

“Elk once roamed Maryland but have been absent since the 1700s,” said MLSF Chairman David Sutherland. “We are pleased to initiate the first steps toward evaluating elk reintroduction in Western Maryland.”

The Sportsmen’s Foundation will contract with a professional consulting group to conduct a formal survey of public opinion on the question of returning elk to the State. DNR will oversee development of the survey — which will include outreach to farmers and other stakeholders that may be impacted by a return of the species — and assist with analysis of the results. In addition, the agency will conduct an assessment of potential elk habitat in western Maryland.

“As with all of our ecological programs, science and informed public input will be our guide,” said DNR Secretary John Griffin. “Consensus from our experts and all impacted stakeholders will be a prerequisite to this decision.”

“There is no higher calling in conservation than restoring an extirpated game species to healthy, hunt-able populations,” said David Allen, President and CEO of Montana -based Rocky Mountain Elk Foundation (RMEF). “Far Western Maryland offers ideal habitat for elk, but we all agree that citizens must be supportive. That is why this partnership, the first step for gauging support in Maryland, is so important.”

The content above was taken from a DNR Press Release Issued 8/22/11. As the feasibility study takes shape, Maryland farmers need to be kept up to speed and be involved in the stakeholder process. Allan Ellis of Ellis Outdoors, LLC will be maintaining a central website (www.mdelkinfo.com) for all manner of information related to the possible reintroduction of elk into Western Maryland. Rather than provide only one viewpoint, Ellis envisions his site to be a clearinghouse with all sides of the issue represented.

Maryland Late Waterfowl Seasons Announced For 2011-2012

Annapolis, Md. (August 25, 2011) — The Maryland Department of Natural Resources (DNR) today announced the 2011-2012 late waterfowl hunting seasons. “Most waterfowl hunters who provided their input were supportive of the proposed seasons and bag-limits, including a 60-day duck season and a 45-day migratory Canada goose season,” said Paul Peditto, Director of DNR’s Wildlife and Heritage Service. Waterfowl hunters may take up to six ducks per day during the season’s three segments: October 15-October 22, November 12-November 25, and December 13-January 28.

“Most duck populations that migrate to Maryland are in great shape due to favorable habitat conditions across the continent,” said Larry Hindman, DNR’s Waterfowl Project Leader. “As a result, duck hunters should find good numbers of ducks across the region this season.”

The Atlantic Population Canada goose hunting season will include a daily bag limit of two geese and will be split into two segments: November 19-November 25; and December 15-January 28. The number of breeding Atlantic Population Canada geese were significantly higher this spring, increasing from approximately 154,000 pairs in 2010, to 194,800 pairs this season. However, a cold spring on the Ungava Peninsula contributed to a slightly reduced nesting effort, with fewer eggs laid compared to a normal nesting year. Maryland will maintain a maximum 45-day Atlantic Population goose season.

Greater and lesser snow geese and Ross's geese are collectively referred to as “light geese”. These birds have become so abundant that they are causing harm to wetland habitats throughout their range. During the Conservation Order season, hunters may use unplugged shotguns, electronic calls and hunt from a half-hour before sunrise to a half-hour after sunset with no daily bag or possession limits. The Light Goose Conservation Order season will run November 28-December 10 and then again January 30-April 14. Hunters are required to purchase a Snow Goose Conservation Order Hunting Season Permit to participate in this special season.

All waterfowl hunters, including landowners who are license exempt, must possess proof of purchase of the 2011-2012 Maryland Migratory Game Bird Stamp (HIP certification permit included). They are available at dnr.maryland.gov/service/license.asp or by calling **1-800-918-2870**. All waterfowl hunters age 16 and over must also possess the Federal Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) while hunting waterfowl. Federal Duck Stamps are available at most U.S. Post Offices, National Wildlife Refuges, and some DNR sport license agents. Hunters may purchase an electronic Federal Duck Stamp from Maryland DNR sport licensing agents. Hunters may also purchase a stamp by either calling toll-free 1-800-DUCK499, 1-800-STAMP24 or order online at www.duckstamp.com. The Federal Duck Stamp must be signed across the face by the hunter to be valid, but they do not have to be attached to the hunting license. More information about the Maryland 2011-2012 late waterfowl hunting season dates and bag limits may be viewed at dnr.maryland.gov/huntersguide/lwfchart.asp.

The above is from a DNR Press release published 8/25/11. Please note the changes made to the Light Goose Conservation Order season which was established several years ago to aid landowners and agricultural producers in mitigating damage from these overabundant birds.

Transportation Regs Update

Federal Motor Carrier Safety Administration Responds to Farmers' Concerns

As a result of strong farmer opposition, the Federal Motor Carrier Safety Administration (FMCSA) announced in a recent press release that it would not propose new burdensome regulations governing the transport of agricultural products. The August 10th press release further announced that the agency was to release guidance to states to ensure their understanding of the common sense exemptions allowing farmers and their employees to conduct their operations efficiently and transport their products to market safely. One can only hope that this new-found appreciation for a common sense approach to regulating agriculture will spread throughout all agencies and levels of government.

On May 31, 2011, the agency published a request for guidance on the applicability of federal motor carrier safety standards to general everyday farming activities, in particular, seeking comments on the following questions: How should FMCSA distinguish between intra- and interstate commerce when a Commercial Motor Vehicle is operated within the boundaries of a single state? Should FMCSA treat farmers with crop-share lease agreements as “for-hire” carriers in new entrant safety audits? Should implements of husbandry and other farm equipment be considered CMVs?

Many states have tried to categorize agricultural products as interstate commerce by simply assuming the crop's ultimate destination is out-of-state even if the farmer delivers his corn to the local elevator down the road. Requiring federal uniformity under this interpretation would result in Maryland farmers losing any exemptions they currently enjoy for intrastate commerce. Furthermore, the ramifications of requiring operators of farm tractors to hold commercial driver's licenses would be immense. For example, a farmer's child under 18 years of age would essentially be prohibited from operating or moving any machinery from one parcel to the next if it meant having to cross a public road. If farm labor was not already hard to come by before, applying CMV status to farm equipment would certainly make it so.

The agency reportedly received about 1700 comments from individual farmers, state farm bureaus, and AFBF with the vast majority calling for a continuation of the guidance that allows states to carry out their own farm exemptions. MFB President Pat Langenfelder submitted comments in response to the request and, while attending county picnics throughout the summer, urged farmers to send their comments as well.

“We want to make it absolutely clear that farmers will not be subjected to new and impractical safety regulations,” said U.S. Transportation Deputy Secretary John Porcari. “The farm community can be confident that states will continue to follow the regulatory exemptions for farmers that have always worked so well.”

With busy schedules, trying weather, and never enough hours in the day, it is not easy to take the time to file comments on the myriad issues that you face as agricultural producers. Because so many of you were able to file comments and let them know how your operations would be impacted, the government received the message loud and clear.

Energy Conference

Mid Atlantic Wind Energy Institute Sponsoring Conference on Harvesting Wind Energy on the Delmarva Peninsula

The conference will be held on Wednesday, September 14th from 10:00am – 4:30pm at University of Maryland Eastern Shore, The Henson Center, Room 1116, in Princess Anne, MD. The Mid-Atlantic Wind Energy Institute (MAWEI) is a regional collaborative that provides resources and knowledge for promoting wind energy in the Mid-Atlantic region. MAWEI works within the states of Pennsylvania, Delaware, Maryland, West Virginia and Virginia.

This educational forum on wind energy will focus primarily on land-based applications on the Eastern Shore. Registration is open to all interested parties. To RSVP to this event, please email Courtney Lane at lane@pennfuture.org or call (215) 545-0484. A limited number of hotel rooms are available at a reduced rate. Call (410)-651-8100 for reservations.

Wind Energy Forum Agenda

9:30-10:00 Continental breakfast

10:00-10:10 Introduction and Welcome

President, University of Maryland Eastern Shore (*invited*)

10:10-10:30 Senator Jim Mathias, District 38, Maryland State Senate (*invited*)

10:30–11:00 The future of wind energy on Maryland’s Eastern Shore Andrew Gohn, clean energy program manager, Maryland Energy Administration

11:00–12:15 Economic benefits of wind energy development

Moderator: Kathy Magruder, executive director, Maryland Clean Energy Center

Benefits for local communities - Jim Marker, county commissioner, Somerset County, PA

Steps to the development process - Steven Volkert, business development manager, DELSEA

Workforce development - John Congedo, president, A-C Wind

12:15-1:15 Lunch

1:15-2:30 Mitigating spatial and environmental impacts of wind energy

Moderator: Bruce Burcat, Executive Director, Mid-Atlantic Renewable Energy Coalition

Wildlife implications - Dr. Paul Kerlinger, president, Curry and Kerlinger, LLC

Radar interference and the DoD clearinghouse process - David Belote, director, Department of Defense Siting Clearinghouse, Office of the Deputy Under Secretary of Defense

Guidelines for responsible project siting - Jerry Redden, special projects coordinator, Hawk Corporation, University of Maryland Eastern Shore

2:30-2:45 Break

2:45-4:00 Wind energy land use implications

Moderator: Dr. Ronald G. Forsythe, vice president for Technology and Commercialization, University of Maryland Eastern Shore

Model ordinances - Courtney Lane, senior energy policy analyst, Citizens for Pennsylvania’s Future (PennFuture)

Agricultural preservation law in Pennsylvania - Steve Stroman, policy director, PennFuture

Agricultural preservation law in Maryland - Carol West, executive director, Maryland Agricultural Land Preservation Foundation

4:00-4:30 Wind energy messaging for local communities - Kurt Karsten, president, Talbot Energy Associates LLC

National Issues Update

Animal Identification Update

In early August, U.S. Department of Agriculture (USDA) published the attached proposed rule to implement a national Animal Disease Traceability (ADT) system. The proposal follows the framework announced last year. The principles of that framework state that the program will: Apply only to animals moved in interstate commerce; Be administered by states and tribal nations to provide flexibility; and Utilize the most cost-effective technology.

Under the new rule, unless specifically exempted, livestock moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection (ICVI) or other documentation, such as owner-shipper statements or brand certificates. Cattle under 18 months of age are initially exempt but will be phased-in once the system has proven effective for breeding cattle. Producers utilizing livestock for custom slaughter or home consumption are exempted.

The proposed rule encourages the use of low-cost technology and specifies approved forms of official identification for each species, including metal ear tags or “Brite” tags for cattle. In addition to official ID, shipping and receiving states or tribes are permitted to agree upon alternative forms of identification such as brands or tattoos. Producers who participated in the former National Animal Identification System should not notice any changes.

AFBF supports a voluntary national animal identification system capable of providing support for animal disease control and eradication. Knowing where diseased and at-risk animals are located is very important for a rapid response by animal health officials and affected industries when a disease outbreak occurs. An efficient and accurate animal disease traceability system will reduce the number of animals involved in an investigation, the time needed to respond, and the cost to producers and government.

A general question-and-answer document about the proposed rule, a summary of the estimated economic impact and a document clarifying the role and acceptability of brands are attached. Details specific to certain species, an implementation plan and a list of approved eartags or other Animal Identification Number (AIN) devices are available [here](#).

USDA has a 90-day public comment period on the proposed rule, ending Nov. 9. Comments may be submitted online [here](#). After the comment period concludes, USDA will analyze the information to formulate a final rule. The full rulemaking process is expected to take two years.

AFBF will submit comments, which will be circulated to states by Nov. 1. States are encouraged to provide input for AFBF comments, particularly on the ICVI requirement, the collection/retirement of ID at slaughter and the transition to including feeder cattle. If you have thoughts to contribute, please send them to Val Connelly by Sept. 15th at valeriec.mdfb@verizon.net.