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USDA TRACEABILITY FOR LIVESTOCK MOVING INTERSTATE by Ray Hoyt, Region 2 Director

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On August 11, 2011, the U.S. Department of Agriculture published in the Federal Register a 29 page proposed rule entitled, "Traceability for Livestock Moving Interstate." According to its stated summary, "We are proposing to establish minimum national official identification and documentation requirements for the traceability of livestock moving interstate. Under this proposed rule, unless specifically exempted, livestock belonging to species covered by this rulemaking that are moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. The proposed regulations specify approved forms of official identification for each species but would allow the livestock covered under this rulemaking to be moved interstate with another form of identification, as agreed upon by animal health officials in the shipping and receiving States or Tribes. The purpose of this rulemaking is to improve our ability to trace livestock in the event that disease is found." To find the entire 29 page text, either go to the Federal Register, Vol. 76 No. 155 of 8/11/11 beginning on page 50082, or contact me and I will email you the document.

With respect to sheep and goats, I have synopsised the relevant portions of this proposal in three areas:

Official ID Devices and Methods: The proposed rule directs interested parties to 9CFR79.2 (a) in the Code of Federal Regulations for guidance on identification devices and methods which would be required if this rule is adopted. 9CFR79 is where the particulars on the non-mandatory Scrapie program appear. Approved devices and methods would be: electronic implants, official eartags, USDA backtags, official registry tattoos, premises ID eartags, or any other device or method approved by the Administrator. As can be seen, electronic implants (microchips) or official registry tattoos would fulfill this requirement.

When Sheep and Goats Must Be Officially ID'd: Under this proposed rule, sheep and goats moving interstate would have to be officially identified prior to the interstate movement unless they are exempted under the Scrapie regulations in 9CFR79 from official identification requirements or are officially identified after the interstate movement, as also provided in 9CFR79.

Accompanying Documentation for Sheep and Goats: This proposed rule would not alter existing documentation requirements for sheep and goats moving interstate. Sheep and goats would have to be accompanied by documentation as required by the Scrapie regulations in 9CFR79.

Several things come to mind should USDA succeed in adopting these regulations...

- The Scrapie Flock Certification Program (SFCP) is not a mandatory program, but now many of its provisions, as mentioned above, would now apply when moving pygmy goats interstate; e.g. goat shows, transporting goats for sale, etc. Those not now nor ever involved in the Scrapie program will probably have to study up on this program's provisions.

- The Certificate of Veterinarian Inspection forms in use that likely vary state by state will be replaced by the Interstate Certificate of Veterinarian Inspection (ICVI). These would be issued by an accredited veterinarian (one authorized to perform work on behalf of the USDA Animal & Plant Health Inspection Service) or a Federal, State, or Tribal veterinarian, who would be responsible for ensuring that the animal meets applicable health requirements. Additionally, USDA is proposing to allow alternatives to the ICVI for livestock moved interstate when both the shipping and receiving States or Tribes agree. Issues coming to mind:

- Development/Dissemination of new ICVI
- List of "Approved" Veterinarians
- States in Agreement for ICVI Alternatives
- What will those "Alternatives" be?

- This rulemaking effort by USDA has been called a solution in search of a problem. The USDA has failed to identify the specific problem or disease of concern. The USDA has also failed to identify the cost to both private individuals and state governments, creating an unfunded mandate. How soon the USDA plans to move on this rulemaking effort remains to be seen.

Stay tuned for more developments.