

**REPORT TO THE BOARD OF DIRECTORS  
USDA ANIMAL DISEASE TRACEABILITY  
November 19, 2012**

USDA's proposed rule for the identification of goats for interstate movement is still in the review process. This rule is the replacement for the aborted National Animal Identification System which was abandoned several years ago due to pressure from the livestock industry.

The full draft of the proposed rule can be found in the Federal Register Vol. 76 No. 155. This document is 29 pages in length.

USDA has produced a 2 page Fact Sheet entitled *Animal Disease Traceability: A Guide to Identifying Sheep and Goats for Interstate Movement*. This is a synopsis of the proposed rule as it relates to sheep and goats. One of the questions posed in this document is "What forms of identification may be used for sheep and goats moving interstate?" The answer lists seven options, one of which is "Another official identification method or device may be used if it is approved by APHIS' Administrator." In the full draft of the rule referred to in the second paragraph above, there is a section quoted here:

**Official Identification Devices and Methods for Sheep and Goats**

Currently, official identification devices or methods approved by the Administrator for sheep and goats required to be officially identified for interstate movement are listed in the scrapie regulations in 9 CFR 79.2.(a). These include electronic implants, official eartags, USDA backtags, official registry tattoos, premises identification eartags, and any other device or method approved by the Administrator. The process for approving official identification tags and new identification types for sheep or goats is described in § 79.2(f) and (g), respectively. This proposed rule would not change any of those requirements. We would simply refer the reader to part 79.

As can be seen, if the proposed rule indeed is adopted into the Code of Federal Regulations, the current NPGA practice of identifying goats by electronic implants or registry tattoos for identification will be fully in compliance with the rule. With respect to sheep and goats, rather than write a whole new section, USDA simply took the language from the Scrapie regulations and included it in the new proposal by reference.

Mid-November 2012: For the current status of the proposed rule, the Traceability Staff at USDA has informed me that the proposed rule was forwarded to the Office of Management and Budget for review. I followed up on that information and learned that on 4/25/12, the OMB Office of Information and Regulatory Analysis (an office within the Executive Office of the President of the United States) received the proposed rule but has no legal deadline to finish their analysis. I then contacted Mr. Neil Hammerschmidt, the Animal Disease Traceability Program Manager for USDA, who advised me that although the final rule remains a USDA priority, no such priority exists at OMB to process this rule. Moreover, the OMB does not provide updates or status reports to other government agencies who submit rule proposals to them for review.

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