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**RESOLUTION NUMBER: 35**

**APPROVED**

**SUBJECT MATTER: Funding for Infrastructure and Radio Frequency Identification (RFID) Tags**

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**BACKGROUND INFORMATION:**

In April 2019, the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) announced a timeline to transition to the mandatory use of electronic identification (ID) tags for cattle covered under the 2013 Animal Disease Traceability (ADT) Rule. While not accompanying the announcement, this timeline was the product of over two years of due process, during which time nine regional meetings were held nationally from April 2017 through July 2017, state and local meetings were held with feedback provided, and 462 written comments were received. A sixteen member state-federal working group was formed; the working group held fifteen meetings over seven months, and contributed more than 500 hours of work, resulting in a comprehensive document which summarized the issues, needs, and options of the current ADT program and detailed 14 points as recommendations. Further discussion and feedback was generated through three public traceability summits, and Undersecretary Ibach produced a list of agency-specific objectives to enhance traceability. Finally, an additional state-federal working group was formed to specifically address one of the objectives: a plan to transition to electronic ID. This working group again received input from all sectors of industry before generating the proposed timeline which was adopted by the USDA.

While not unanimous, the transition timeline was met with significant positive responses and as outreach efforts continued, industry support grew as State Animal Health Officials, livestock market operators, industry organizations, and practicing veterinarians committed to engage in a successful transition.

The groups previously mentioned have invested considerable resources to ensure a smooth transition as defined by the timeline. Significant time and energy has been devoted to explaining the timeline to stakeholders and activities have already begun to accomplish the first step of the transition - ending free National Uniform Eartagging System (NUES) tag distribution by 12/31/19.

In late October 2019, it was announced that the timeline was being suspended until USDA could evaluate the method in which the timeline was proposed and determine what steps were necessary to ensure a transparent process was utilized to arrive at the timeline and to satisfy any legal challenges.

The withdrawal of the transition timeline creates confusion, doubt, and lack of trust amongst stakeholders and continues to leave unaddressed a major gap in the nation's resilience to an incursion of a high consequence animal disease.

As a further point of confusion, plans to potentially provide "free" official calfhood vaccination (OCV) radio frequency identification (RFID) tags and making a "cost-share" available for non-OCV RFID tags were announced as options in addition to continuing provision of "free" NUES tags. State Animal Health Officials and many industry stakeholders have repeatedly indicated that the industry wishes for infrastructure improvements rather than a short-term, complicated method of cost-share for RFIDs.

#### **RESOLUTION:**

The United States Animal Health Association (USAHA) strongly urges the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) to discontinue the distribution of National Uniform Eartagging System tags within twelve months or no later than December 31, 2020 and utilize available funding for infrastructure development and provide access for producers to obtain radio frequency identification tags. USAHA further urges USDA-APHIS-VS to avoid "voucher" programs which would create additional administrative challenges.

#### **INTERIM RESPONSE:**

As part of USDA's overall effort to continue to encourage the use of radio frequency identification (RFID), on January 31, 2020, USDA/APHIS began to offer low frequency RFID ear tags for cattle and bison as an alternative choice to the free metal National Uniform Eartagging System (NUES) tags. The RFID tags can be used for official calfhood vaccination for brucellosis or for those heifers that will likely be replacement cattle in herds and states that do not vaccinate for brucellosis. The RFID tag option is available at no cost through the same ordering and distribution channels as the metal NUES tags from the VS warehouse in Kansas City, Missouri. In the 2019 cooperative agreement period, funding was made available to states to invest in infrastructure (RFID readers), and APHIS intends to provide similar agreements for infrastructure in 2020.

#### **FINAL RESPONSE:**

As part of APHIS' overall effort to continue to encourage the use of RFID, on January 31, 2020, APHIS began to offer at no cost, low frequency RFID ear tags for cattle and bison as an alternative to the free metal NUES tags. The RFID tags can be used for official calfhood vaccination for brucellosis or for those heifers that will likely be replacement cattle in herds and States that do not vaccinate for brucellosis. The RFID tag option is available at no cost through the same ordering and distribution channels as the NUES tags from the VS warehouse in Kansas City, Missouri.

In fiscal year 2019, APHIS provided additional funding to States to invest in infrastructure (RFID readers). In 2020, APHIS provided similar additional funding, specifically targeted at building electronic ID infrastructure using tag reading devices and tag applicators in livestock markets and by accredited veterinarians.

On July 6, 2020, APHIS posted a Notice in the Federal Register requesting public comment on whether to transition to RFID as the only approved official identification device in cattle and bison, as well as a proposed timeline for this transition. The Notice is open for public comment for 90 days (comment period closes on October 5, 2020). After receipt and review of stakeholder comments, APHIS will implement a decision on the path forward and an associated timeline that best meets stakeholder's needs. However, should it be determined to transition away from metal tags, the transition would need to allow ample time and will not be accomplished by December 31, 2020.