

## **Proposed Scrapie Rule November 2015**

USDA has proposed a rule making updates to the scrapie program. The following is a partial summary of the proposed rule with an emphasis on how livestock markets selling sheep and goats may be affected.

### **Comment Period**

The full proposed rule may be found online at -  
<http://www.regulations.gov/#!documentDetail;D=APHIS-2007-0127-0001>.

USDA is accepting comments, which may be submitted at the link above, until **December 9, 2015**.

LMA members with feedback, questions, or who would like help submitting comments should contact LMA Vice President of Government and Industry Affairs Chelsea Good at [cgood@lmaweb.com](mailto:cgood@lmaweb.com) or 816-305-9540.

### **Rule Summary**

USDA proposes to make the requirements for goats the same as those for sheep under the current scrapie program.

USDA formalizes the use of genetic testing to assign risk levels to sheep.

- If known, the genotype must be put on the ICVI for breeding sheep.

USDA removes the requirement to record individual official identification already on animals when received.

- Some states may still require this documentation. For markets without a state requirement, they would no longer need to record official identification numbers of sheep and goats that come to the market already identified.

The proposed rule continues to allow livestock markets to receive official tags directly from animal health officials and apply these tags to sheep and goats coming into the market untagged, keeping records of those animals that the market tags. However, USDA has asked if this process should be removed.

- One alternative that has been discussed is requiring the seller of the animals to either tag them at home or provide the markets with tags to apply that are associated with the sellers' flock.
- Another possible option would be allowing markets to continue tagging sheep and goats without official tags from sellers, but only selling these animals in slaughter channels.

- *Would markets like to be able to continue to receive tags associated with the market to apply to animals? If not, are either of the alternatives above preferable?*

As is currently required, markets must keep records of sheep and goats tagged for 5 years. In the proposed rule, USDA states that one way of keeping these records would be by markets submitting them electronically into the AIN module of the National Scrapie Database. (79.2(a)(2)) / Record Requirement in 79.2(g)

- *Would markets prefer to keep hard copy records, submit them electronically, or have the option of doing either?*

The proposal adds definitions for “restricted animal sale” or “restricted livestock facility”. These are sales where some or all sheep and goats are being sold through slaughter channels. As is currently the informal procedure, markets would self-designate as selling sheep or goats in slaughter channels. When selling through slaughter channels the following would be required:

- An owner/hauler statement is required for sheep and goats in slaughter channels including the owner’s name and address, name of facility where they are being sent, and a statement that the animals are for slaughter only. (79.3(g))
  - Markets will need to keep two owner/hauler statements--one for the trip where the animals were shipped to the market and another for the trip where they were shipped away from the market.
- These animals may not be in the same “enclosure” with sexually intact animals not in slaughter channels.
- Any bill of sale must include a statement that the animals were sold for slaughter only. (79.3(g))
- These animals may only leave the market to move to a slaughter establishment under FSIS inspection, to an individual for immediate slaughter for personal use, or to a terminal feedlot.

Generally, sheep and goats must be officially identified prior to first comingling, transfer of ownership, or moving in interstate commerce. 79.2(a) However, sheep and goats can move to an approved livestock facility and be identified upon unloading, prior to comingling, if they have an owner/hauler statement. 79.2(a)(ii). This movement can occur even if the approved livestock facility is in another state. 79.2(a)(iv)

- It is unclear if sheep and goats can move intrastate to a livestock market that is not an approved livestock facility and be identified upon unloading. (Language used to require identification upon unloading at any livestock market or upon leaving an approved market.)

If an animal that has moved in interstate commerce is not identified as required when it arrives at the market, the market should not unload it or offer it for sale.

79.2(3) However, markets can enter into agreements with USDA to receive unidentified animals not able to be traced to their flock of birth or origin if they place a slaughter only tag on them and sell them through slaughter channels. Also, the sellers' violation of the sheep or goat not being identified when received by the market must be reported 79.3(k)

- Formalizes current informal procedure

The proposed rule prohibits both the transfer of an official ear tag without permission and the application of an official ear tag to an animal besides a sheep or goat (79.2).

Backtags may not be used as official ID.

Neither tattoos nor electronic implants may be used as the sole official ID for animals moving through markets.