



September 1, 2020

RE: Use of Radio Frequency Identification Tags as Official Identification in Cattle and Bison, Docket No. APHIS-2020-0022, Published in the Federal Register Volume 85, Number 129, on July 6, 2020, page 40184.

United States Department of Agriculture
Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8,
4700 River Road Unit 118
Riverdale, MD 20737-1238

Dear Undersecretary Ibach:

The Livestock Marketing Association (LMA) writes to provide feedback regarding the potential transition to Radio Frequency Identification (RFID) tags as official identification in cattle, as discussed in Federal Register Docket No. APHIS-2020-0022, published July 6, 2020. We appreciate the opportunity to comment on this important issue.

As you know, LMA represents local and regional livestock auction markets selling livestock on a commission basis for producers across the United States as well as related marketing businesses such as livestock dealers. The livestock marketing businesses LMA represents are proud of the part we play in providing the safest, most affordable, most wholesome food supply in the world. LMA member markets have significant first-hand exposure to the existing Animal Disease Traceability (ADT) program as millions of cattle are already identified at markets.

The Move to Electronic Identification

In the summer of 2019, LMA conducted a listening tour of its membership to receive feedback on the current ADT program as well as the future of ADT. Particular emphasis was placed on USDA's desires to move to electronic identification.

Most participants indicated USDA's move toward electronic identification of currently covered animals would not harm their processes as those animals are already being tagged. One concern identified last summer—having to re-tag an animal which received non-RFID official identification before the RFID transition date—has already been addressed. We commend USDA for incorporating feedback and providing an allowance for cattle that receive a metal clip tag prior to January 1, 2023 to have that tag recognized as official identification for the life of the animal. We recommend further clarifying that this is also the case for non-RFID plastic official identification tags, in addition to the metal clip tags listed.

During the listening tour, a handful of LMA members expressed optimism that a shift to RFID for currently covered animals as it could improve speed and accuracy of reading tags at market. Some of these markets are participating in pilot projects to gain real-world data on RFID technology.

However, questions and concerns arose during discussions of the choice of technology to be used and cost of any resulting adjustment.

Focus on Currently Covered Animals

First and foremost, LMA appreciates the framework's focus on cattle currently covered by the federal ADT rule. LMA requires a proven, effective, and industry-accepted traceability system for currently covered animals (interstate movement of sexually intact beef cattle 18 months of age and older as well as dairy cattle of any age) prior to any consideration of other classes of cattle. LMA appreciates the continued recognition that adjustments to the classes of cattle covered under ADT would require a rulemaking process.

An expansion to younger cattle is not warranted at this time. Markets across the U.S. share concerns that tagging additional animals would be a major labor expense and create additional stress and potential injury to animals. Many markets would have to make facility adjustments and require consignors to bring cattle in earlier to allow for additional tagging prior to the sale. USDA is wise to focus on improvements to the current system rather than looking to expand into new classes of livestock.

Additionally, LMA appreciates USDA's continued recognition of ADT flexibilities in official identification, which allows backtags to be utilized for direct-to-slaughter cattle. RFID tag identification of these animals would be a waste of resources.

Single Technology or Dual Technology Integration

The technology used as official identification must not disrupt speed or workflow at livestock auctions. Markets are concerned about the expense and logistical issues multiple readers would pose.

We recognize that low frequency (LF) RFID has emerged as the technology of choice for intensive individual animal data systems; however, LF has severe limitations when trying to track a larger population of animals. If a group of animals does not move single file through a reading point, which can be the case in many environments including livestock auction markets, ultra-high frequency (UHF) RFID is the only existing technology to allow these animals to be read at the speed of commerce.

Therefore, if livestock auctions are expected to read electronic tags, this requires a single tag technology or effective dual technology integration to allow efficient flow. For example, if a tag was equipped with both LF and UHF technology, the LF could be used for individual management while the UHF could be used to create a citing of that animal when moved as part of a group.

Additionally, multiple companies should be able to produce the tags to allow for price competition.

Cost Considerations

The USDA and state animal health agencies tasked with performing livestock traces, are the primary beneficiaries of moving from visual-only tags to RFID tags. As noted in the Federal Register notice in describing traceability test exercises, *"lengthy times in the trace test exercises resulted*

when numbers from visual (metal) tags were transcribed inaccurately, movement records were not readily available, or information was only retrievable from labor-intensive paper filing systems.” According to the register notice, moving to RFID tags will improve this. “RFID tags and electronic record systems provide significant advantage over metal tags to rapidly and accurately read and record tag numbers and retrieve traceability information.”

LMA recognizes that the increase in electronic records brought on by more RFID tags will benefit animal health agencies in their storage and retrieval of this information. However, this comes at increased costs on the tagging side of this equation.

If livestock auctions are expected to read electronic tags, LMA insists USDA fully fund readers at livestock auctions as needed infrastructure for this technology switch.

The cattle industry is accustomed to metal brite tags provided at no cost to producers. Additionally, we appreciate USDA currently providing RFID tags free of charge to states and accredited veterinarians. Certainty regarding tag funding is needed moving into the future, especially if use of RFID tags moves from voluntary to required for official identification. Tags should continue to be provided through USDA funding. USDA should also fund the cost of tag application, data collection, and data management.

After experiencing great market volatility and low profitability with COVID-19 and other detrimental events leading up to 2020, a new cost mandated from the federal government on cattle producers would be poorly received.

Support of Electronic Data Sharing

Regarding USDA’s overarching goals, LMA supports USDA’s goal to advance the electronic sharing of identification data. Information should be readily accessible by federal and state animal health officials in the event of a traceback, while also being held secure from unauthorized release. LMA requires confidentiality and security of producer information. Producer information should only be used for disease tracking by state and federal animal health officials and for no other purposes.

LMA also supports USDA’s fourth overarching goal to work toward a system of electronic transmissions of movement information to animal health officials. This naturally includes increased usage of electronic certificates of veterinary inspection. However, increasing use of alternative movement documents would also increase traceability as well as compliance. LMA supports working toward an electronic submission option for alternative movement documents. The ability to update electronic movement documents if a destination changes in route would also increase the accuracy of this system.

Consistency of Enforcement

One consistent frustration with the current ADT program is that livestock markets seem to be the sole area for compliance checks. Markets believe increased education regarding current requirements and consistent enforcement for livestock not moving through a market is needed. Many worry that nearly exclusive ADT enforcement at auction markets will drive customers to sell livestock in other ways and, at the same time, reduce the number of traceable animals.

Conclusion

Again, thank you for the opportunity to comment on this important topic. LMA leadership and staff are committed to working with federal officials, state officials, and industry to achieve the desired consistency and simplicity of the ADT program. Should you have any questions about our comments or desire additional dialog with LMA leaders or staff, please contact LMA Vice President of Government and Industry Affairs and Legal Chelsea Good at cgood@lmaweb.com or 816-305-9540.

Sincerely,

Larry Schnell, LMA President

CC:

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