

SENATE BILL REPORT

ESHB 1151

As of March 27, 2007

Title: An act relating to animal identification programs.

Brief Description: Creating a livestock identification advisory committee.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Pearson, Kretz, Dunshee, B. Sullivan, Kristiansen, Warnick and Haler).

Brief History: Passed House: 3/12/07, 98-0.

Committee Activity: Agriculture & Rural Economic Development: 3/27/07.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Staff: Bob Lee (786-7404)

Background: Shortly after a cow imported from Canada was determined to have bovine spongiform encephalopathy (BSE or Mad Cow Disease), in 2004, the United States Department of Agriculture (USDA) initiated the National Animal Identification System (NAIS). The system was intended to enable animal health officials to trace diseased animals back to the herd or premises that was the source of infection. Several species of livestock were proposed for inclusion. The NAIS included three phases: premise registration; animal identification; and animal movement reporting. Originally, the USDA contended that the plan would be mandatory and requested that states work to implement the plan.

In 2006, the Legislature passed SHB 3033 that required the Washington State Department of Agriculture (WSDA) to appoint an advisory committee composed of various segments of the cattle industry. The cattle advisory committee met and produced a report pertaining to identification of cattle.

During 2006, USDA updated their position to indicate that the NAIS was voluntary for all species.

Summary of Engrossed Substitute Bill: The WSDA is directed to convene a Livestock Identification Advisory Committee. The Director (Director) of the WSDA is required to consult with a broad range of stakeholders who may be impacted by implementation of a mandatory or voluntary national or state animal identification system, or components of these systems. The Director must appoint one or more Committee members from:

- the commercial livestock industry, including cattle feeders and producers of beef and dairy cattle, horses, sheep, poultry, and swine;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- noncommercial livestock owners, including those who raise animals as a hobby or as a source of supplemental income, barter, food for the family, or recreation;
- educational and recreational organizations such as horse-riding associations, community fairs, and youth groups;
- concerned citizens who have a stake in the issue; and
- additional members as the Director thinks necessary.

The Director must also invite one member from an Indian tribe to join the Committee. The Committee will be chaired by the Director or the Director's designee, and be staffed by the WSDA.

In conjunction with the WSDA, the Committee must:

- review the recommendations made by the Cattle Identification Advisory Committee for implementation of a voluntary National Animal Identification System in Washington;
- assess the impacts of such a system, whether federal or state only, on the commercial livestock industry, noncommercial livestock owners, livestock-related educational and recreational organizations, concerned citizens, and Indian tribes, including costs, domestic and international commerce, animal health, privacy rights, and other potential impacts; and
- recommend to the WSDA whether and how to implement a voluntary animal identification system in Washington.

The WSDA, in conjunction with the Committee, must submit a written report of its findings and recommendations to appropriate committees of the Legislature by January 1, 2008.

This section expires June 30, 2008.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There are concerns about the original NAIS program that called for mandatory identification of all livestock and the impacts that such a system would have, particularly on owners of a small number of livestock. The WSDA has received funds from the federal government. Thus, the WSDA cannot be looked to as being impartial and should not be in charge of this committee. Instead, it should be convened by the Legislature.

CON: The assignment in the legislation is a large daunting task with little time. The original purpose of NAIS was to improve trace back for high risk commercial livestock operations, not to people who participate in trail rides and youth shows. There has been a lot of misinformation and the federal government could have handled the issue better. Commercial livestock producers have built their farms over generations and are vulnerable to disease outbreaks like those experienced in England with hoof and mouth disease, where 1.6 million animals were destroyed. The commercial livestock industry realizes that the brand system does not produce information fast enough to address disease trace back needs in a timely

fashion. The commercial cattle industry has been working with the WSDA on improving the existing system, and supports the WSDA and the State Veterinarian.

Persons Testifying: PRO: Celeste Bishop, Carol Osterman, Valerie Tinney, No NAIS Washington.

CON: Mary Beth Lang, WSDA; Jim Jesernig, Agri-Beef; Jay Gordon, Washington State Dairy Federation; Eddie Armstrong, Washington State Horse Council; Jack Field, Washington Cattlemen's Association; and Ed Field, Washington Cattle Feeders Association.