

FLORIDA ASSOCIATION OF LIVESTOCK MARKETS

Resolutions Regarding Animal Disease Traceability

- The *Florida Association Of Livestock Markets* adopts and fully supports the current *Livestock Marketing Association* policy on the Animal Disease Identification Traceability in the USDA Federal Rules governing the interstate movement of beef cattle over eighteen (18) months of age and all dairy cattle.
- The *Florida Association Of Livestock Markets* resolves to repeal the rules governing intrastate movement in the State of Florida of cattle over eighteen (18) months of age.

Who And What We Are

The *Florida Association Of Livestock Markets* (“FALM”) is the business membership association of Florida’s livestock markets. FALM is also a member of the national group of livestock markets, the *Livestock Marketing Association* (“LMA”). Whether as a buyer or seller cattle or as simply utilizing market cash pricing—in one way or another virtually all Florida livestock producers utilize this group of seven (7) livestock markets.

The Florida Livestock Markets have been stewards of the land and of the Florida cattle industry for well over a century. By sponsoring producer meetings and workshops regarding new developments in breeding, grazing, feeding, and health, Florida’s livestock markets have been promoting “*sustainability*” and “*animal health*” for many decades. The Florida Livestock Markets are integral to the buying, selling, and raising of cattle in Florida and play a major role in Florida’s agriculture industry.

Over the years there have been as many as twenty-two (22) cattle markets located throughout the State of Florida that operated auction markets bringing buyers and sellers together for free market pricing of cattle. As noted, currently there are seven (7) Florida livestock markets with physical facilities located in southwest Florida and the Lake Okeechobee area up through Florida’s heartland all the way to the Georgia line. This group of seven (7) markets have been in operation for between 70 to 88 years with over half working into the fourth generation of family ownership.

The Florida Livestock Markets are regulated by the USDA Packers And Stockyards Division and the Florida Department Of Agriculture (“FDAC”) under principally the *Packers And Stockyards Act of 1921* and *Chapter 534, Florida Statutes*.

At auction, the seller presents cattle for sale to a group of cattle buyers that bid prices to the auctioneer for purchase. Under USDA and Florida law and regulations, upon reaching a “strike price,” the Florida livestock market assumes the payment risk between buyer and seller by paying the seller directly from its USDA regulated custodial account, and is in turn paid by the seller directly as again regulated by the USDA and the Florida Department of Agriculture. This process affords the Florida livestock producer the largest and widest market for Florida raised and managed cattle.

The sellers at the Florida Livestock Markets are usually local in Florida, but the buyers can be either local or through local order buyers can be from other states. Cattle sold through Florida Livestock Markets are shipped intrastate to buyers within Florida and interstate to the ranches, feeders, and packing plants usually in the Southeast and West. Approximately half of all the cattle sold in Florida and an even greater percentage of small producer cattle pass through the Florida Livestock Markets.

All in all the Florida Livestock Markets together with their owners and managers are a large and important resource to Florida agriculture and the Florida cattle industry in particular.

Why Are We Here?

The short answer is electronic identification (“EID”) tagging, program implementation, and burden sharing.

Over the years the Florida Livestock Markets have worked hand in hand with the USDA, FDAC, producers, and ranchers to solve industry problems relating to the financial and resource burden needed to control and eradicate disease outbreaks, including screw worm, hog cholera, brucellosis, and other pathogens. In many instances in the past the Florida markets were the only mechanism and data source to trace ownership of impacted cattle and were able to assist this effort quickly, efficiently, and successfully. Florida Livestock Markets have long been required to maintain ownership and sale data going back three to five years, and this continues to be an essential component in protecting livestock health in Florida.

Federal Rule: The current USDA Federal Rule governs the interstate movement of cattle over eighteen (18) months of age. Cattle moving interstate are required to have permanent metal ear tags with alphanumeric numbering that matches to a database containing the premise or location of sale, date of sale and/or shipment, and ownership. The tags are paid for and provided by the USDA and FDAC. In the event of an outbreak involving Florida livestock the USDA, FDAC, the Florida Livestock Markets, and the producers can move quickly and

efficiently to trace back to the source herd and animal for treatment or destruction. The USDA has no similar rule governing intrastate movement. The “Federal Rule” is enforced by the USDA and FDAC through the Florida Livestock Markets and various interdiction stations on Florida highways.

Florida Rule: For the last twelve (12) years Florida has had a similar rule in place where cattle sold and moving intrastate are required to be tagged with again permanent metal ear tags and reported to the matching database. As with the “Federal Rule,” the Florida Livestock Markets provide premise identification and ear tags provided by the USDA and FDAC. Also as with the “Federal Rule” cattle moving intrastate from a Florida Livestock Market sale fully comply with the tagging and data reporting requirements of the Florida Rule. A problem arises from intrastate movement of cattle not sold through a Florida Livestock Market and are not reported, not tagged, and not in the database. Whether the problem is available resources or implementation, the result is the same. There is no identification and no enforcement mechanism governing intrastate movement other than cattle moving through the Florida Livestock Markets. This represents a significant shortcoming in the animal disease traceability program under the Florida Rule. On top of this Florida is one of only a few states that actually have an intrastate cattle disease traceability tagging program at all.

The Burden: Anytime cattle are moved or transported there are costs associated with the labor, finance, and risk of loss. Putting an animal through a chute to tag or read a tag carries a burden on the producer rancher. Under the current Federal Rule and Florida Rule the cost of tags themselves is borne by the USDA and FDAC. The burden of tagging and reporting falls to the Florida Livestock Markets and the cattle producers. It is especially burdensome to the small producer and rancher, particularly if the tags, the tagging, and the reading equipment disrupts the operational efficiency of the producer and the Florida Livestock Markets.

Electronic Identification (“EID”): The short answer here is the technology is premature for any broadbased implementation. The *2020 Resolution From Livestock Marketing Association On Animal Disease Traceability* states that official identification technology “*must not disrupt speed or work flow at livestock auctions.*” The low frequency “button” ear tags are sufficiently permanent but are shorter range and inefficient for volume users like livestock markets or large producers or feedyards. There is also a problem with multiple frequency and multiple wand readers. The high frequency back tags work well with readers but are not sufficiently permanent for much longer than several months. They are reported effective for inventory management, but they are subject being dislodged. This ignores altogether the cost associated

with EID which is many multiples more than the Federal Rule and, again, a disproportionate burden on the small producers.

Finally, with consideration of the above discussion and with the intention not to short circuit the importance of animal disease traceability but to avoid the improper execution of immature technology—the Florida Association of Livestock Markets submits the following:

I.

**RESOLUTION ON USDA “FEDERAL RULE” GOVERNING
INTERSTATE CATTLE MOVEMENT**

WHEREAS U.S. agriculture and the cattle industry are essential to the independence, security, and quality of the U.S. food supply, as well as U.S. national security; and

WHEREAS disease surveillance and eradication are critical for public confidence in the health and quality of the U.S. food supply; and

WHEREAS the Livestock Marketing Association, of which the Florida Association Of Livestock Markets is a member, approved and adopted as policy its 2020 Resolution with respect to Animal Disease Identification Traceability under the USDA federal rules (“Federal Rule”) for interstate movement of livestock;¹

NOW THEREFORE BE IT RESOLVED that with respect to the current Federal Rule governing traceability, the Florida Association of Livestock Markets approves and fully supports the policy adopted by the Livestock Marketing Association in 2020.

¹ See **EXHIBIT A**, *2020 Resolution From Livestock Marketing Association On Animal Disease Traceability.*”

II.

RESOLUTION OF PROPOSED RULES GOVERNING INTRASTATE CATTLE MOVEMENT

WHEREAS while USDA has no rules regarding intrastate movement of cattle, the Florida Department Of Agriculture (“FDAC”) has adopted such intrastate rules that have been in effect for twelve (12) years;

WHEREAS the State of Florida is one of only a few states that have rules governing intrastate cattle movement which places a burden on Florida government resources, cattle producers and cattle markets in Florida;

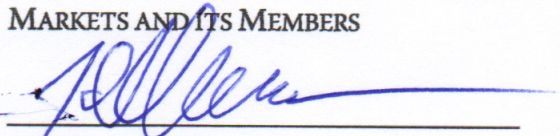
WHEREAS, while the Florida livestock markets handle only approximately half of the marketed cattle in Florida and even less of the intrastate movement, the FDAC surveillance of cattle movement is focused on the Florida livestock markets;

WHEREAS the FDAC surveillance of non-market country cattle movement has over roughly twelve (12) years proven ineffective generally, and has been burdensome, time consuming, and expensive for Florida state resources and the cattle industry;

NOW THEREFORE for the benefit of and reduced burden on the State of Florida resources, on all both large and particularly small Florida cattle producers, and on the Florida cattle markets, the Florida Association of Livestock Markets resolves that the FDAC rules governing intrastate cattle movement in the State of Florida be repealed.

Respectfully submitted on behalf of the

FLORIDA ASSOCIATION OF LIVESTOCK
MARKETS AND ITS MEMBERS



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General Manager, Mark Harrell

D & S CATTLE CO., INC.
Vice President/Treasurer, Kelly Durrance

TOWNSEND LIVESTOCK MARKET
President, George A. Townsend

Exhibit A

2020 RESOLUTION FROM LIVESTOCK MARKETING ASSOCIATION ON ANIMAL DISEASE TRACEABILITY

WHEREAS, the Livestock Marketing Association (LMA), and the marketing businesses it represents, play an integral role in livestock identification; and

WHEREAS, it is vital that the public have confidence in the disease surveillance and eradication programs in the United States; and

WHEREAS, limited funding at the state and federal levels dictates that the program must remain focused on achievable goals that support animal disease traceability; and

WHEREAS, implementation of the 2013 Animal Disease Traceability (ADT) rule is highly variable across the different states creating confusion and increased cost to industry; and

WHEREAS, enforcement of and education about the existing ADT program is lacking outside of the livestock auction environment; and

WHEREAS, confidentiality of producer information is paramount; and

WHEREAS, success of the ADT program hinges on the buy-in and compliance of multiple sectors of the livestock industry, which will be best achieved through the simplicity and common-sense implementation of the ADT program;

THEREFORE, BE IT RESOLVED, 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. This includes an effective database or connected databases; tag retirement at slaughter; and consistent enforcement across the industry.

THEREFORE, BE IT ALSO RESOLVED, LMA encourages consistent implementation of ADT across states to reduce the cost and confusion of varied requirements.

THEREFORE, BE IT ALSO RESOLVED, LMA requires confidentiality and security of producer information. Producer information should only be used for disease tracking by State and Federal animal health officials.

THEREFORE, BE IT ALSO RESOLVED, Only minimal necessary information should be collected for a traceability system. Any additional information to be utilized for management or value-added programs must be kept outside of the ADT program.

THEREFORE, BE IT ALSO RESOLVED, Technology used as official identification must not disrupt speed or workflow at livestock auctions. If livestock auctions are expected to read electronic tags, this requires a single tag technology or effective dual technology integration (readers or tags) to allow efficient flow.

THEREFORE, BE IT ALSO RESOLVED, If livestock auctions are expected to read electronic tags, LMA demands USDA fully fund readers at livestock auctions as infrastructure. LMA also requires USDA fund the cost of tags, tag application, data collection, and data management.

THEREFORE, BE IT ALSO RESOLVED, LMA supports flexibilities in official identification for direct-to-slaughter cattle. Additionally, LMA supports flexibilities in official identification of cattle consigned to livestock auctions.

THEREFORE, BE IT ALSO RESOLVED, LMA leadership and staff will work with industry, state officials, and federal officials to achieve the desired consistency and simplicity in the ADT program.