



October 5, 2020

Kevin Shea, Administrator
Animal and Plant Health Inspection Service
U. S. Department of Agriculture
Station 3A-03.8
4700 River Road Unit 118
Riverdale, MD 20737-1238

Re: Docket No. APHIS-2020-0022

Dear Administrator Shea,

On behalf of the Montana Stockgrowers Association (MSGA), we would like to take this opportunity to submit comments regarding the USDA's Animal and Plant Health Inspection Service (APHIS) proposal to implement the Use of Radio Frequency Identification Tags (RFID) as Official Identification in Cattle and Bison.

MSGA is a membership organization that has worked on behalf of Montana's cattle ranching families since 1884. The membership of our association consists of individual members and local affiliate groups, including ranchers of all ages, ranching operations of various sizes, feedlot operators, affiliate businesses, federal grazing permittees and private property owners. Our organization and our members have a significant and long-standing interest in animal disease traceability and how that framework impacts the livestock industry.

MSGA supports APHIS and the steps your agency is taking to enhance the capability to rapidly trace and contain diseased and exposed cattle. It is critically important that USDA and the U.S. livestock industry are able to respond quickly and effectively to disease outbreaks and to provide the assurances to family ranchers, consumers and our export market that the U.S. has the most advanced system in the world.

In reviewing this proposal, MSGA feels it is important to address a number of issues and concerns prior to adoption of this regulation. First, it has been stated that APHIS has begun providing states and accredited veterinarians with RFID ear tags as a no-cost alternative to metal clip tags. There is a concern among ranchers that RFID tags will not remain a "no-cost alternative" and the price of the tags will soon shift solely to the livestock producer. This would be a significant cost to family ranchers and at an extremely difficult time in our industry. It is imperative a funding mechanism is developed and shared with states and livestock producers, prior to implementation. The

regulation also states, *“The policy for approving tags as official identification would continue to require that tags meet safety, quality, and retention criteria.”* MSGA would like additional information on the retention criteria, as our members in the past have experienced above average loss rates. Additionally, we feel it is important to more fully develop the process and requirements for replacing lost tags on animals.

Furthermore, MSGA members have significant concerns over data privacy. Our members would support a policy or regulation that protects the ranch data, while balancing the interests of animal and public health. Montana very clearly understands that confidentiality is important in animal health and animal disease investigations. MSGA requests USDA utilizes private and state databases for disease traceability information beyond the data points already collected through USDA programs to better ensure data confidentiality and protection against inappropriate disclosure.

Montana is also faced with a Designated Surveillance Area (DSA) to manage brucellosis. MSGA continues to support official brucellosis vaccinated cattle be designated by an official ID and legible tattoo at the time of official vaccination. Our organization has previously raised concerns, when in 2018 the US Animal Health Association Brucellosis subcommittee made a recommendation for USDA to remove the requirement of a legible tattoo for proof of an official brucellosis vaccination. Due to potential tag or other ID losses, it is imperative to retain the tattoo requirement. In addition, if USDA moves forward with this regulation, MSGA does support the USDA assurance that will allow cattle already tagged with official visual or metal tags to continue to use those tags as official identification throughout the animal’s life, and will continue to recognize other forms of official ID, such as brands.

In Montana, the Montana Department of Livestock has proven our ability to use our livestock branding system as a major component of animal disease traceability. While this proposed regulation does state brands will still be recognized, it is MSGA’s recommendation that any proposed regulation does not undermine the need for and use of livestock brands. The current system was proven successful in the **USDA’s Review of Montana’s Brucellosis Management Program** in 2019. In the review, USDA states that *“Montana appears to have an aggressive brucellosis management program with excellent cooperation from producers”* and *“The Montana Veterinary Diagnostic Lab and MDOL Brand Inspection play a key role in the day-to-day function of the brucellosis program and seem to be functioning well.”*

In the proposed regulation, USDA asks for comments specific to the proposed timeline of implementation. It is MSGA’s recommendation that, prior to a decision on the proposed regulation change, a comprehensive evaluation be conducted by USDA APHIS to ensure adequate resources are available to effectively execute this proposal for cattle identification. Just as importantly, these resources should include cost-sharing proposals for cattle producers. MSGA also feels it would be beneficial for your agency to review performance data from the states, before exploring expansion of the RFID technology proposal to include other classes of cattle.

On behalf of our organization, we would like to thank for your consideration of our comments and look forward to working with USDA on this critical issue.

Sincerely,

A handwritten signature in black ink that reads "Fred Wacker". The signature is written in a cursive style with a prominent initial "F".

Fred Wacker
President
Montana Stockgrowers Association