

SENATE BILL REPORT

SB 5956

As of February 16, 2009

Title: An act relating to voluntary participation in a state or national animal identification system.

Brief Description: Regarding voluntary participation in a state or national animal identification system.

Sponsors: Senators Schoesler, Shin, Stevens, Zarelli, Marr and Benton.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/17/09.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Staff: Bob Lee (786-7404)

Background: The federal policy with respect to developing nationwide systems to provide for the trace-back of livestock diseases has been in a state of flux. The National Animal Identification System (NAIS) was proposed by the United States Department of Agriculture (USDA) in response to animal disease incidents, potential bioterrorism concerns, and food safety issues. Among these concerns were hoof and mouth disease, e-coli O15:H7, BSE – mad cow disease, brucellosis, tuberculosis, and avian influenza.

Major incidents in Washington State that contributed toward development of the national system was the e-coli O157:H7 tainted hamburger incident in December 1992 and the BSE-mad cow incident in December 2003. These incidents triggered public health concerns about food supply. The 2003 incident resulted in banning the importation of cattle produced in the United States by a large number of countries. The origin of both incidents was eventually traced to out-of-state sources.

The original goal of NAIS was to have the capability to identify all animal premises and animals that had direct contact with specific animal diseases within 48 hours of discovery. The original goal was to have premises and cattle to be registered in 2008 and for cattle movement to be reported in 2009. The original vision of the federal program was for each state's Department of Agriculture to develop and implement specific components of the

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system including developing and maintaining databases. Efforts were made to develop standardized procedures to integrate the 50 states' programs.

In 2006 SB 3033 was enacted for the Director of Agriculture to convene an advisory committee composed of various representatives of the cattle industry to develop recommendations on the cattle component of this system. During the work of this advisory committee, the USDA modified the federal program to make it voluntary. The advisory committee provided a report to the 2007 session of the Legislature prior to its sunset date.

The new federal administration has yet to announce its policy direction with respect to animal disease trace-back systems.

Summary of Bill: Voluntary participation in any state or national animal identification program must be obtained with informed written consent.

No officer, agency, or instrumentality of the state, in conjunction with the implementation of any state or national animal identification system, may:

- mandate, coerce, use exclusionary tactics, support, or otherwise force participation in a state or national animal identification system;
- register real property or assign real property identification numbers in a state or national animal identification system without prior knowledge and written consent;
- withhold indemnity based on status of participation in a state or national animal identification system; or
- deny, revoke, or limit services, certificates, licenses, permits, grants, or other benefits or incentives based on a status of participation in a state or national animal identification system.

Nothing is to prohibit:

- the state from establishing or participating in disease control programs specifically designed to address specific diseases in specific species of livestock;
- private agricultural organizations from establishing any source verification program; or
- any person from voluntarily participating in state or national animal identification systems.

Appropriation: None.

Fiscal Note: Requested on February 13, 2009.

Committee/Commission/Task Force Created: No.

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