

Open Letter to the American Horse Council February 20, 2008

The Farm and Ranch Freedom Alliance (FARFA) sent a public email last month alerting people to statements in a recent government document that call for breed registries to implement the National Animal Identification System (NAIS). We encouraged people to contact their breed registries (1) to find out if they planned to be part of this implementation and (2) to express the members' opposition to being part of NAIS. Many horse owners acted on this information and contacted their registries.

Based on the government documents, if NAIS becomes mandatory, it will require anyone who owns or manages property with even one horse or other livestock animal to register their home in a federal database and be assigned a permanent premises identification number (PIN). Next, each animal will be assigned an internationally unique 15-digit animal identification number (AIN) and be tagged, in many cases with electronic identification. The last step would be to track the animal's movements, particularly any movements that involve "commingling" (mixing) with other horses or livestock.

The American Horse Council (AHC) took exception to FARFA notifying horse owners of the issue of breed registries potentially implementing NAIS. AHC sent a letter to breed registries claiming that: "misinformation has been going around regarding the USDA's business plan for the NAIS This seems to be orchestrated in part by a group called the Farm and Ranch Freedom Alliance...." The full text of the AHC letter is included at the end of this response.

AHC has not contacted FARFA and their reasons for objecting to the FARFA alert are unclear. After all, FARFA's alert is based directly on the USDA's published documents.

AHC seems intent on downplaying what the USDA has published in its most recent document. The USDA's *Business Plan to Advance Animal Disease Traceability: Through the Harmonization of State, Federal, and Industry Programs and Convergence with the National Animal Identification System* was released on December 19, 2007. In a table of planned actions and target dates, it states: "initiate use of AIN in breed registry programs," with an "action target date" of March 2008. (Business Plan, p.52). AHC's letter instead claims that "the timeline (below) states that USDA plans to initiate these discussions in March 2008." Since when does "initiate use" of something mean "initiate discussions"? If AHC is privy to information that has not been made public, it needs to share that information.

Perhaps AHC's objection is the statement in FARFA's alert that USDA plans to use breed associations to force NAIS registrations. AHC continues to promote the claim that NAIS is voluntary, stating: "As the NAIS is a voluntary program, it is the choice of each breed registry for all livestock species to decide whether they would like to utilize the NAIS options of AIN and PIN, and whether that will be mandatory or voluntary for their specific program."

But while it may be voluntary for a breed registry to decide whether to require NAIS, it is not voluntary for the animal owners who utilize a registry that requires NAIS. A coercive choice between being forced to participate in a government program to which one objects or having unregistered animals – which can have severe economic consequences - is not truly voluntary.

AHC has not told horse owners about some of the non-voluntary and coercive measures already being used to force NAIS on people in several states:

- Premises registration is mandatory in Wisconsin and Indiana;
- Horse owners in New York have reported receiving letters thanking them for registering their property in the NAIS database after having taken their horses for routine Coggins tests;

- Premises registration and NAIS-compliant electronic tags are mandatory for cattle in Michigan;
- Drought stricken farmers in North Carolina are required to register their farms to obtain hay from the state;
- Children in Colorado, North Carolina, and Illinois are required to register in NAIS in order to compete in the state fairs.

In addition, the USDA Business Plan contains several other measures that will affect horse owners that the AHC has failed to mention:

- The Business Plan specifically calls for equine organizations and associations to implement NAIS-compliant electronic identification technology by January 2009: **“Implementation of the 840 AIN RFID [Radio Frequency Identification Device] technology by all industry organizations that provide services to horse owners/breeders.”** (Business Plan,p.55) (emphasis added) .
- USDA’s focus on horses is *not* limited to just competition horses. **“Horses that, when moved, require either a test for Equine Infectious Anemia or a health certificate, are also included in Tier 1.”** (Business Plan, p.2). That would cover almost every single horse in Texas and many other states.
- USDA has plans to expand the requirements for Coggins testing nationwide, to capture more people into NAIS. **“Efforts are underway to develop a USDA national State-Federal cooperative program for the control of EIA that would establish national EIA (Coggins) testing requirements for (a) interstate movement and (b) change of ownership. ... Overall, establishing regulations to require premises registration in association with Coggins testing would substantively increase the number of both premises registered and horses identified.”** (Business Plan, p.26-27) This means a national mandatory Coggins, for which horse owners will be required to provide a PIN and AIN.

To our knowledge, AHC has not alerted its organizational or individual members to these provisions of the USDA Business Plan. Instead, the AHC directs people to the Equine Species Working Group’s (ESWG’s) website for more information on NAIS. The ESWG is an advisory group that makes recommendations to the USDA about how NAIS should apply to horses. The USDA is not bound by any of these recommendations and may choose to disregard any or all of the recommendations. Moreover, the ESWG website fails to mention these coercive provisions of the USDA Business Plan, what is really happening around the country with NAIS, or the costs of the program.

For more information USDA’s documents about horses and NAIS, go to www.farmandranchfreedom.org/content/horses-and-NAIS.

The American Horse Council claims to speak for horse owners across the country. Yet, rather than inform its members of the contents of the USDA’s documents, it attacks a grassroots organization for urging people to find out what their breed registries are planning. It’s time AHC answered some questions from horse owners.

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AHC's letter to breed registries is copied below

To: AHC Member Breed Registries
From: American Horse Council
Date: January 24 2008
Re: Inquiries on Breed Registry Involvement with NAIS

Many of you may have recently received inquiries regarding your breed registries position on and plans for participation in the National Animal Identification System. Misinformation has been going around regarding the USDA's business plan for the NAIS and its plans to work with breed registries to assist in implementing the system. This seems to be orchestrated in part by a group called the Farm and Ranch Freedom Alliance, which calls for people to contact breed registries and ask the following questions:

1. Do you plan to require members to use the USDA's 15-digit Animal Identification Number (AIN) to enter or maintain animals in your registry?
2. Do you plan to require members to use the State's or USDA's premises registration system in order to obtain a breed registration number?
3. Can you please confirm the registry's intentions in writing?

The business plan, titled *A Business Plan to Advance Animal Disease Traceability*, was released by the USDA as a draft on December 19, 2007. It was developed to explain how USDA plans to continue the development and implementation of a voluntary ID system. It focuses on harmonizing existing animal health programs (both state and Federal regulated and voluntary programs), industry health and marketing programs, and various animal identification techniques.

One of the initiatives within the business plan is to harmonize animal identification programs, which includes working with breed registry and performance recording programs. The information from the business plan regarding this item can be found following this memo, and within the business plan which is available on the NAIS website - <http://www.usda.gov/nais>

USDA plans to work with breed registries of all involved species (beef, dairy, horses, sheep, and goats) by having USDA staff explain the details associated with the use of a premises identification number (PIN) and an animal identification number (AIN). If a breed registry decides to consider utilizing the PIN or AIN as part of their services and programs, USDA will support them accordingly with proper training/information, etc. The timeline (below) states that USDA plans to initiate these discussions in March 2008.

It is our understanding that USDA plans to contact breed registries following the species priorities that are identified within the business plan, which would start with cattle, the highest identified priority.

The key is that these are simply discussions, not agreements or mandatory initiatives, on how a breed registry might elect to provide an additional service to its members. As the NAIS is a voluntary program, it is the choice of each breed registry for all livestock species to decide whether they would like to utilize the NAIS options of AIN and PIN, and whether that will be mandatory or voluntary for their specific program.

If you choose to respond to some of the inquiries you may receive, you can state your position on the NAIS if you have one, or simply respond with your current status (example -- no we do not require a PIN or AIN). Also reiterate that the NAIS is a voluntary program and that if your registry decided to

offer NAIS participation with the use of an AIN, this would be voluntary and advance notice would be provided to horse owners. Additionally, you can direct them to the NAIS website (<http://www.usda.gov/nais>) and the Equine Species Working Group (ESWG) website (www.equinespeciesworkinggroup.com) for more information.