

## Legislative Action Alert

January 29, 2010

### **SB75 – An act to restrict state participation in a national animal identification system.**

SB 75, as originally introduced, attempts to define certain terms for livestock identification within the Animal Industry statutes. Specifically, the bill would define the term, premises to mean the contact person responsible for the animal. It would also define voluntary to mean an informed act of free choice that is not compelled by legal obligation, fraud, undue influence, compulsion, coercion, or solicitation by false, misleading, or concealed information. Heard in Senate Ag Committee on Thursday morning, the sponsor amended the bill by removing the definition of premise as a person.

A second amendment was offered which would totally re-write the bill. The amendment would mandate voluntary participation in the NAIS system and would allow the State of South Dakota to only use a NAIS program to address specific disease programs in a specific species. The "hog-house" amendment appeared to be a shortened version of the NAIS bill that SDCA opposed and helped defeat during the 2009 legislative session. *Testimony will continue on Tuesday, February 2, with both proponents and opponents being allowed to give additional testimony in light of a completely new bill.*

### **After careful review of state and federal animal health regulations, we ask you to OPPOSE SB75 for the following reasons:**

- It removes the Animal Industry Board as a "shield" between South Dakota livestock producers and the USDA. Under current state law, this seven-member board representing all facets of the livestock industry is responsible for adopting rules, through a public rules hearing process, for anything related to an animal identification system in South Dakota. SB75 proposes to restrict the Board, which would force producers to work directly with USDA rather than their fellow South Dakotans.
- This would limit the Animal Industry Board to reacting to a livestock disease after it is identified. It would not allow producers or the Board to be proactive in addressing new livestock disease or food safety concerns.



- The vast majority of livestock groups support our current law and want to maintain our right to work with our state Animal Industry Board on identification issues, instead of USDA. This is once again an attempt - like we have seen for each of the past four years - by a minority segment of one of the state's livestock groups to dictate public policy for the rest of agriculture.

**Groups opposing SB75 include:**

SD Pork Producers

SD Cattlemen's Association

SD Farm Bureau

SD Association of Cooperatives

SD Animal Industry Board

SD Department of Agriculture