

# **Final Rule: Traceability for Livestock Moved Interstate**

January 11, 2013

## **Summary of General Requirements by Species**

**Effective Date: March 11, 2013**

The Traceability for Livestock Moved Interstate rule establishes minimum national official identification and documentation requirements for the traceability of livestock moving interstate. The species covered in the rule include cattle and bison, sheep and goats, swine, horses and other equines, captive cervids (e.g., deer and elk), and poultry. The covered animals moved interstate, unless otherwise exempt, would have to be officially identified and accompanied by an interstate certificate of veterinary inspection (ICVI) or other movement document. The requirements do not apply to livestock moving:

- Entirely within Tribal land that straddles a State line and the Tribe has a separate traceability system from the States in which its lands are located; or
- To a custom slaughter facility in accordance with Federal and State regulations for preparation of meat.

Other exemptions are applied on a species-specific basis.

The following summarizes the methods and devices for officially identifying each species and when official identification and an ICVI or other movement documentation would be required.

### **Captive Cervids**

The traceability rule references existing regulations for captive cervids; thus, there is no change in the requirements for interstate movement of these animals.

#### **Official Identification Device and Methods**

Captive cervids required to be officially identified for interstate movement must be identified by a device or method authorized by Title 9, *Code of Federal Regulations* (9 CFR) part 77.

#### **Official Identification Requirements**

Captive cervids moving interstate must be officially identified before interstate movement in accordance with 9 CFR part 77.

#### **ICVI/Movement Requirements**

Captive cervids moved interstate must be accompanied by documentation as required by 9 CFR part 77.

## **Cattle and Bison**

### **Official Identification Devices and Methods**

Cattle and bison required to be officially identified for interstate movement must be identified by means of:

- An official eartag.
- Brands registered with a recognized brand inspection authority and accompanied by an official brand inspection certificate, when agreed to by the shipping and receiving State or Tribal animal health authorities.
- Tattoos and other identification methods acceptable to a breed association for registration purposes, accompanied by a breed registration certificate, when agreed to by the shipping and receiving State or Tribal animal health authorities.
- Group/lot identification when a group/lot identification number (GIN) may be used.

### **Official Identification Requirements**

Official identification required for the following cattle and bison, unless exempt as provided below:

- All sexually intact cattle and bison 18 months of age or over;
- All female dairy cattle of any age and all dairy males born after March 11, 2013;
- Cattle and bison of any age used for rodeo or recreational events; and
- Cattle and bison of any age used for shows or exhibitions

Cattle and bison moving interstate are exempt from the official identification requirement when moved:

- As a commuter herd with a copy of the commuter herd agreement or other documents as agreed to by the shipping and receiving States or Tribes. If any of the cattle or bison are shipped to a State or Tribe not included in the commuter herd agreement or other documentation, then these cattle or bison must be officially identified and documented to the original State of origin.
- Moved directly from a location in one State through another State to a second location in the original State.
- Moved interstate directly to an approved tagging site and are officially identified before commingling with cattle and bison from other premises or identified by the use of backtags or other methods that will ensure that the identity of the animal is accurately maintained until tagging so that the official eartag can be correlated to the person responsible for shipping the animal to the approved tagging site.
- Moved between shipping and receiving States or Tribes with another form of identification, as agreed upon by animal health officials in the shipping and receiving States or Tribes.
- Moved directly to a recognized slaughtering establishment or directly to no more than one approved livestock facility and then directly to a recognized slaughtering establishment, where they are harvested within 3 days of arrival; and
- They are moved interstate with a USDA-approved backtag; or A USDA-approved backtag is applied to the cattle or bison at the recognized slaughtering establishment or federally approved livestock facility.

The official identification of beef cattle under 18 months of age (feeder/stocker cattle) will be established through a separate rule making at a later date.

### **ICVI/Movement Requirements**

Cattle and bison moved interstate must be accompanied by an ICVI unless:

- They are moved directly to a recognized slaughtering establishment, or directly to an approved livestock facility and then directly to a recognized slaughtering establishment, and are accompanied by an owner-shipper statement.
- They are moved directly to an approved livestock facility with an owner-shipper statement and do not move interstate from the facility unless accompanied by an ICVI.
- They are moved from the farm of origin for veterinary medical examination or treatment and returned to the farm of origin without change in ownership.
- They are moved directly from one State through another State and back to the original State.
- They are moved as a commuter herd with a copy of the commuter herd agreement or other document as agreed to by the States or Tribes involved in the movement.
- They are moved between shipping and receiving States or Tribes with documentation other than an ICVI, e.g., a brand inspection certificate, as agreed upon by animal health officials in the shipping and receiving States or Tribes.

The official identification number of cattle or bison must be recorded on the ICVI or alternate documentation unless:

- The cattle or bison are moved from an approved livestock facility directly to a recognized slaughtering establishment.
- The cattle and bison are sexually intact cattle or bison under 18 months of age or steers or spayed heifers. This exception does not apply to female sexually intact dairy cattle of any age or to cattle or bison used for rodeo, exhibition, or recreational purposes.

## Horses and Other Equines

### Official Identification Device and Methods

Horses and other equines required to be officially identified for interstate movement must be identified by:

- A description sufficient to identify the individual equine including, but not limited to, name, age, breed, color, gender, distinctive markings, and unique and permanent forms of identification when present (e.g., brands, tattoos, scars, cowlicks, blemishes, or biometric measurements). When the identity of the equine is in question at the receiving destination, the State or Tribal animal health official in the State or Tribe of destination or APHIS representative may determine if the description provided is sufficient.
- Electronic identification that complies with ISO 11784/11785.
- Non-ISO electronic identification injected to the equine on or before March 11, 2014.
- Digital photographs sufficient to identify the individual equine.
- For equines being commercially transported to slaughter, a device or method authorized by 9 CFR part 88.

### Official Identification Requirements

Horses and other equines moving interstate must be officially identified before the interstate movement, using an official identification device or method listed above unless:

- They are used as the mode of transportation (horseback, horse and buggy) for travel to another location and then returned directly to the original location.
- They are moved from the farm or stable for veterinary medical examination or treatment and returned to the same location without change in ownership.
- They are moved directly from a location in one State through another State to a second location in the original State.
- They are moved between shipping and receiving States or Tribes with another form of identification as agreed upon by animal health officials in the shipping and receiving States or Tribes.

Horses or other equines being commercially transported to slaughter must be identified in accordance with 9 CFR part 88.

### ICVI/Movement Requirements

Horses and other equines moved interstate must be accompanied by an ICVI unless:

- They are used as the mode of transportation (horseback, horse and buggy) for travel to another location and then returned directly to the original location.
- They are moved from the farm or stable for veterinary medical examination or treatment and returned to the same location without change in ownership.
- They are moved directly from a location in one State through another State to a second location in the original State.

Additionally, equines may be moved between shipping and receiving States or Tribes with documentation other than an ICVI, e.g., an equine infectious anemia test chart, as agreed to by the shipping and receiving States or Tribes involved in the movement.

Equines moving commercially to slaughter must be accompanied by documentation in accordance with 9 CFR part 88. Equine infectious anemia reactors moving interstate must be accompanied by documentation as required by 9 CFR part 75.

## **Poultry**

### **Official Identification Device and Methods**

Poultry required to be officially identified for interstate movement must be identified by one of the following methods:

- Sealed and numbered leg bands in the manner referenced in the National Poultry Improvement Plan (NPIP) regulations (9 CFR parts 145 through 147).
- Group/lot identification when a group/lot identification number (GIN) may be used.

### **Official Identification Requirements**

Poultry moving interstate must be officially identified before interstate movement unless:

- (1) The shipment of poultry is from a hatchery to a redistributor or poultry grower.
- (2) The shipment is from a redistributor to a poultry grower and the person responsible for receiving the chick maintains a record of the supplier of the chicks.
- (3) The poultry are identified as agreed upon by the States or Tribes involved in the movement.

### **ICVI/Movement Requirements**

Poultry moved interstate must be accompanied by an ICVI unless:

- They are from a flock participating in the National Poultry Improvement Plan (NPIP) and are accompanied by the documentation required under the NPIP regulations (9 CFR parts 145 through 147) for participation in that program.
- They are moved directly to a recognized slaughtering or rendering establishment.
- They are moved from the farm of origin for veterinary medical examination, treatment, or diagnostic purposes and either returned to the farm of origin without change in ownership or euthanized and disposed of at the veterinary facility.
- They are moved directly from one State through another State and back to the original State.
- They are moved between shipping and receiving States or Tribes with a VS Form 9-3 or documentation other than an ICVI, as agreed upon by animal health officials in the shipping and receiving States or Tribes.
- They are moved under permit in accordance with 9 CFR part 82.

## **Sheep and Goats**

The traceability rule references existing regulations for sheep and goats; thus, there is no change in the requirements for interstate movement of these animals.

### **Official Identification Device and Methods**

Sheep and goats required to be officially identified for interstate movement must be identified by a device or method authorized by 9 CFR part 79.

### **Official Identification Requirements**

Sheep and goats moved interstate must be officially identified before the interstate movement unless they are exempt from official identification requirements under 9 CFR part 79 or are officially identified after the interstate movement, as provided in 9 CFR part 79.

### **ICVI/Movement Requirements**

Sheep and goats moved interstate must be accompanied by documentation as required by 9 CFR part 79.

## **Swine**

The traceability rule references existing regulations for swine; thus, there is no change in the requirements for interstate movement of these animals.

### **Official Identification Device and Methods**

Swine required to be officially identified for interstate movement must be identified by a device or method authorized by 9 CFR part 71.19.

### **Official Identification Requirement**

Swine moving interstate must be officially identified in accordance with 9 CFR 71.19.

### **ICVI/Movement Requirements**

Swine moved interstate must be accompanied by documentation in accordance with 9 CFR part 71.19 and, if applicable, part 85.

## Appendix A - Summary for Referenced Regulations

Complete information on these and other existing regulations may be found at:

<http://www.gpoaccess.gov/cfr/index.html>

### 9 CFR Part 71 - General Provisions

#### § 71.19 Identification of Swine in Interstate Commerce

Swine that are required to be officially identified for interstate movement must be identified by one of the following methods:

- Official eartags for any swine;
- USDA backtags, for swine moving to slaughter;
- Official swine tattoos, for swine moving to slaughter, when the use of the official swine tattoo has been requested by a user or the State animal health official, and the Administrator authorizes its use in writing based on a determination that the tattoo will be retained and visible on the carcass of the swine after slaughter;
- Tattoos of at least four characters for swine moving to slaughter, except sows and boars as provided in 9 CFR 78.33;
- Ear notching for any swine, if the ear notching has been recorded in the book of record of a purebred registry association;
- Tattoos on the ear or inner flank of any swine, if the tattoos have been recorded in the book of record of a swine registry association;
- For slaughter swine and feeder swine, an eartag or tattoo bearing the premises identification number assigned by the State animal health official to the premises on which the swine originated; and
- Any other official identification device or method that is approved by the Administrator.

### 9 CFR Part 75 - Communicable Diseases in Horses, Asses, Ponies, Mules and Zebras

#### § 75.4 Interstate movement of equine infectious anemia reactors and approval of laboratories, diagnostic facilities, and research facilities.

(a) *Officially identified.* The permanent identification of a reactor using the National Uniform Tag code number assigned by the United States Department of Agriculture to the State in which the reactor was tested, followed by the letter “A”, which markings shall be permanently applied to the reactor by an APHIS representative, State representative, or accredited veterinarian who shall use for the purpose a hot iron or chemical brand, freezemarking, or a lip tattoo. If hot iron or chemical branding or freezemarking is used, the markings shall be not less than 2 inches high and shall be applied to the left shoulder or left side of the neck of the reactor. If a lip tattoo is

used, each character of the tattoo shall be not less than 1 inch high and three-fourths of an inch wide and shall be applied to the inside surface of the upper lip of the reactor.

(b) *Interstate movement.* No reactor may be moved interstate unless the reactor is officially identified, is accompanied by a certificate, and meets the conditions of either paragraph (b)(1), (b)(2), (b)(3), or (b)(4) of this section: *Provided*, That official identification is not necessary if the reactor is moved directly to slaughter under a permit and in a conveyance sealed with an official seal.

## **9 CFR Part 79 Scrapie in Sheep and Goats**

### **§ 79.2 Identification of sheep and goats in interstate commerce**

The sheep or goats must be identified by one of the following means of identification, and must remain so identified until they reach their final destination:

- Electronic implants for animals required to be identified by the Scrapie Flock Certification Program (SFCP), when used in a flock participating in the SFCP and when accompanied by a certificate or owner statement that includes the electronic implant numbers and the name of the chip manufacturer;
- Official eartags, including tags approved for use in the SFCP or APHIS-approved premises identification number eartags when combined with a unique animal identification number;
- USDA backtags or official premises identification backtags that include a unique animal identification number, when used on sheep or goats moving directly to slaughter and when applied within 3 inches of the poll on the dorsal surface of the head or neck;
- Legible official registry tattoos that have been recorded in the book of record of a sheep or goat registry association when the animal is accompanied by either a registration certificate or a certificate of veterinary inspection. These tattoos may also be used as premises identification if they contain a unique premises prefix that has been linked in the National Scrapie Database with the assigned premises identification number of the flock of origin;
- Premises identification eartags or tattoos, if the premises identification method includes a unique animal number or is combined with a flock eartag that has a unique animal number and the animal is accompanied by an owner statement;
- Premises identification when premises identification is allowed by 9 CFR 79.3 (general movement restrictions) and the animal is accompanied by an owner statement; or
- Any other official identification method or device approved by the Administrator.

## **9 CFR part 88 Commercial Transportation of Equines for Slaughter**

### **§ 88.4 Requirements for transport**

Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must:

- For a period of not less than 6 consecutive hours immediately prior to the equines being loaded on the conveyance, provide each equine appropriate food (i.e., hay, grass, or other food that would allow an equine in transit to maintain well-being), potable water, and the opportunity to rest;
- Apply a USDA backtag to each equine in the shipment;
- Complete and sign an owner-shipper certificate for each equine being transported. The owner-shipper certificate for each equine must accompany the equine throughout transit to the slaughtering facility and must include the following information, which must be typed or legibly completed in ink:
  - The owner or shipper's name, address, and telephone number;
  - The receiver's (destination) name, address, and telephone number;
  - The name of the auction or market, if applicable;
  - A description of the conveyance, including the license plate number;
  - A description of the equine's physical characteristics, including such information as sex, breed, coloring, distinguishing markings, permanent brands, tattoos, and electronic devices that could be used to identify the equine;
  - The number of the USDA backtag applied to the equine;
  - A statement of fitness to travel at the time of loading, which will indicate that the equine is able to bear weight on all four limbs, able to walk unassisted, not blind in both eyes, older than 6 months of age, and not likely to give birth during the trip;
  - A description of any preexisting injuries or other unusual condition of the equine, such as a wound or blindness in one eye, that may cause the equine to have special handling needs;
  - The date, time, and place the equine was loaded on the conveyance; and
  - A statement that the equine was provided access to food, water, and rest prior to transport.