



Hearing Scheduled
06/03/09 1:00 pm
State House
Room A-2

SUPPORT SB376 – An Act Relative to Farm Protection (Sen. Brewer)

Referred to Joint Committee on Environment, Natural Resources & Agriculture

PROBLEM:

The US Department of Agriculture, egged on by Big Ag and technology companies which hope for special benefits, is trying to establish a National Animal Identification Program, or NAIS, as part of a worldwide, UN-promoted animal ID program. It would require all owners of even a single farm animal to register their GPS locations or “premises”; tag every animal with radio frequency identification ID; and report all births, deaths, movements, sales and other events (including tag loss) within 24 hours to a central database. The stated purpose is 48-hour traceback in case of a reportable disease epidemic, as well as a tool against bio-terrorism and other threats to the food supply such as mad cow disease. Large agribusinesses say they need it to export meat for the international market. However, most farmers, horse owners, homesteaders, and pet owners oppose the program, saying the extra work and excessive costs would force many to stop farming. Consumer advocates say US food is the safest in the world, and there are much more effective and less draconian ways to improve it. This program would burden the taxpayer, raise food prices, and provide no benefit over current disease-tracking programs. Instead, it would merely provide an appearance of greater safety, while failing to address the real issues, such as food contamination during slaughter and processing, which represents nearly all problem cases.

HISTORY:

The first step, premise registration, was to become mandatory in 2008, with ID and database reporting to follow. Facing public outcry, USDA *said* it would remain voluntary, but has continued to pursue “back door” approaches by paying states to develop their own mandatory programs and require it for state and 4H fairs, and by trying to make it a pre-condition for health testing, certification and other state and national programs. Many states are submitting names from agricultural census lists, health certificates issued, and similar sources without the knowledge of the people being registered. Massachusetts Department of Agriculture did so until 2007, when it announced that it would allow residents to “opt out.”

WHAT THIS BILL DOES:

1. Prevents the state from accepting any NAIS funds from the federal government.
2. Prevents the state from sending premise registrations to the national database and requires that those already registered be allowed to opt out.
3. Prevents participating in NAIS or in any mandatory premise registration or animal ID programs other than those established for individual, species-specific diseases.
4. Prevents the state from making participation in NAIS or any similar program a condition for obtaining a service, license, or permit.

WHY YOU SHOULD SUPPORT:

1. This bill would stop an intrusive, unnecessary, counterproductive and expensive government program whose only beneficiaries would be giant agribusinesses which export food to other countries and technology companies that manufacture the equipment and run the databases required under the program.
2. NAIS would harm small and medium-sized farms, the consumer, and US taxpayers. It would hurt organic farmers and the local food movement. It would raise the price and reduce the quality of food available in our country.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Virginia Rowland, President; blackslate@aol.com; 978-424-1044

Julie Rembrandt Seeley, Corresponding Secretary; jrembrandtseeley@aol.com; 978-456-8644

MassFed: 06/01/09

SENATE No. 376

The Commonwealth of Massachusetts

PRESENTED BY: Mr. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of
Massachusetts in General Court assembled:
The undersigned legislators and/or citizens respectfully petition for the passage of
the accompanying bill:

An Act relative to farm protection.

PETITION OF:

Name: District/Address:

Mr. Brewer Worcester, Hampden, Hampshire and Franklin
Ellen Story 3rd Hampshire
Todd M. Smola 1st Hampden
Anne M. Gobi 5th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE SENATE, NO. S00475 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act relative to farm protection.

Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:

The Commonwealth of Massachusetts finds the following:

(A) This Commonwealth has entered into agreements with the federal government of the United States, and otherwise may have participated in establishing a National Animal Identification System (hereinafter “NAIS”).

(B) Neither the United States Department of Agriculture nor the Massachusetts Department of Agricultural Resources (hereinafter “MDAR”) has demonstrated any scientific findings that the NAIS will prevent the spread of diseases of animal origin to humans or to other animals, or will benefit animal or public health.

(C) Sustainable animal husbandry practices, which include adequate space, appropriate feed, and access to pasture, fresh air and sunlight are important in promoting animal health and thus preventing the spread of diseases of animal origin.

(D) The establishment of NAIS is detrimental to small and sustainable animal husbandry farming operations, individual ownership and raising of livestock, and the citizens of this State.

Section 1: Cooperative Agreement Termination

MDAR shall withdraw any pending application for USDA NAIS Cooperative Agreement funding for FY 2007; or, in the event that the USDA already has granted funding and a Cooperative Agreement for FY 2007 already has been executed, MDAR shall return any FY 2007 funding to the USDA and rescind any existing Cooperative Agreement for FY 2007.

Section 2: Citizens Data Upload Termination

MDAR shall immediately cease sending data on the Commonwealth’s citizens and animal premises to the USDA National Premises Information Repository.

Section 3: Notification and Data Removal

MDAR shall: (a) immediately notify all citizens whose premises information previously has been submitted to the USDA National Premises Information Repository without their specific authorization; and (b) develop a procedure with the USDA whereby such Massachusetts data will be expunged from the USDA National Premises Information Repository.

Section 4: Official animal identification programs prohibited; exceptions.

(A) Except as provided in subsection (B), unless specifically authorized by law, the MDAR shall not establish or participate in:

- (1) Any program of livestock animal identification;
 - (2) Any program of registration of premises on which livestock is held.
- (B) Subsection A does not apply to any program for the control of the following diseases, to the extent of the Commonwealth's participation in the program on the effective date of this section:
- (1) Tuberculosis;
 - (2) Brucellosis;
 - (3) Johnnes' Disease;
 - (4) Pseudorabies;
 - (5) Equine Infectious Anemia;
 - (6) Transmissible spongiform encephalopathy's (TSE's), including Bovine Spongiform

Encephalopathy, Scrapie, and Chronic Wasting Disease.

Section 5: Protection Against Discrimination

No person or government entity may condition a service, benefit, license, payment, or permit on participation in the NAIS or any substantially similar federal, state, or private program.