

MICHIGAN COMMISSION OF AGRICULTURE
Lansing Center
Governor's Room
333 E. Michigan Avenue
Lansing, Michigan 48933

MEETING MINUTES
JANUARY 8, 2007

PRESENT:

Dale Norton, Vice Chair, Commission of Agriculture
Ann Jousma-Miller, Secretary
James Byrum, Commission of Agriculture
Don Coe, Commission of Agriculture
Mitch Irwin, Director, Michigan Department of Agriculture

CALL TO ORDER AND ROLL CALL

Vice Chairperson Norton called the meeting of the Commission of Agriculture to order at 9:00 a.m. on Wednesday, January 8, 2007. Commissioner Jousma-Miller called the roll with Commissioners Norton, Jousma-Miller, Byrum, Coe and Director Irwin present. Commissioner Doug Darling was absent.

APPROVAL OF AGENDA

MOTION: COMMISSIONER BYRUM MOVED TO APPROVE THE JANUARY 8, 2007 AGENDA. SECONDED BY COMMISSIONER COE. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DECEMBER 6, 2006 MEETING MINUTES

Commissioner Jousma-Miller requested a correction to add a comment to her report on the Agricultural Tourism Advisory Commission. She asked that it be noted that a letter of thanks and a copy of the final report be sent to each of the members of the Agricultural Tourism Advisory Commission

MOTION: COMMISSIONER BYRUM MOVED APPROVAL OF THE DECEMBER 6, 2006 MEETING MINUTES WITH THE NOTED CHANGE. SECONDED BY COMMISSIONER COE. MOTION CARRIED UNANIMOUSLY.

NEXT SCHEDULED MEETING

February 6, 2007, location to be determined.

ELECTION OF OFFICERS

MOTION: COMMISSIONER COE NOMINATED COMMISSIONER JIM BYRUM AS CHAIRPERSON AND COMMISSIONER DALE NORTON AS VICE CHARIPERSON. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' TRAVEL

January 27, 2007, Northern Michigan Small Farm Conference, Grayling, Michigan – Commissioner Coe

MOTION: COMMISSIONER NORTON MOVED APPROVAL OF COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED UNANIMOUSLY.

COMMISSION COMMENTS:

Commissioner Jousma-Miller welcomed everyone in attendance to the Commission meeting. She noted an exciting month in the Upper Peninsula (UP). She said they are producing biodiesel and are continuing to work on a rail spur for the biodiesel plant in the industrial park. She is working with Canadian National in Montreal. She has also met with Senator Prusi who shared information about the Michigan Railroad Loan Assistance Program.

She attended a biomass conference and briefly discussed a feasibility study and using salvage wood for biomass.

She attended another conference with MSU, looking at strengths in the UP. In addition to forests, and biomass, mushrooms are grown well in the UP. There are many events planned for the spring and summer at the Upper Peninsula State Fair. The UP inaugural celebration will be held on January 20.

There will be several meetings held in the spring. Topics will include tuberculosis (TB) and electronic animal identification. Producers in the UP have attended several of these meetings over the last two years because of the TB free status for the UP. The vast majority have tagged their animals, in order to obtain TB free status pursuant to the United States Department of Agriculture (USDA) requirement.

Commissioner Coe welcomed all in attendance at the meeting. He noted that on January 16, 2007 the Orchard and Vineyard Show will be held in Traverse City and the Northern Michigan Small Farm Conference in

Grayling, Michigan. He encouraged those with an interest in those areas to attend.

The weather has been detrimental to those businesses linked to winter activities. The cherry and horticulture industry have thus far been unharmed because of such a warm fall.

Commissioner Norton commented that he had attended succession planning for his family partnership and estate planning. He noted they have recently signed a contract with Pioneer to grow seed corn for them. Pioneer has been aggressive in obtaining acreage.

Commissioner Byrum welcomed everyone to the Commission meeting and commented the Michigan Agri-Business Association conference was occurring simultaneously with the Commission meeting.

He commented about the need to get fertilizer moving to be available for the upcoming corn planting season. Corn acres are estimated to be up 15-20 percent. He noted that reduced acres in soybeans and dry beans are expected. The mild weather is causing concern in terms of field availability and potential pest issues.

There was a brief discussion about feed costs and crop choices producers are making due to weather, pests and demand for certain crops.

DIRECTOR'S REPORT

Director Irwin briefly discussed activities over the last month including the Renewable Fuels Commission's first meeting. The Commission is to develop a series of recommendations by July 2, 2007, that would eliminate barriers or impediments to promoting biofuels, and promote state and private partnership action to enhance and promote the use of biofuels throughout Michigan.

Director Irwin introduced Phyllis Mellon, the new chief deputy director of the Michigan Department of Agriculture.

He asked the Commissioners to review the Commission Policies for discussion at the February meeting.

He also noted a Budget and Policy Priorities Workshop will part of the February meeting. This is an opportunity to review and update MDA's strategic plan and priorities. With tight budgets, MDA is continuing to review ways to improve and enhance performance. Since 1921, MDA has

had three missions: protect the food supply; promote agricultural products, both domestically and internationally; and preserve farmland.

He noted that the Fruit and Vegetable Growers Association presented Robin Rosenbaum (Section Manager, Plant Industry Section, Pesticide and Plant Pest Management Division) a Master Farmer Associate Award, given for outstanding performance in their duties as a professional and service to the industry.

Director Irwin commented briefly about a recent Governor's Cabinet Retreat, the MAXA Council, and work studies being done to combat the European spider that is affecting crop yield in hay in the eastern UP.

He commented on the importance of obtaining TB free status by pursuing electronic animal identification to help promote food safety, market access and traceability, and opening world markets with premium contracts.

He spoke briefly about continuing budget planning.

MOTION: COMMISSIONER NORTON MOVED TO SEND A LETTER OF CONGRATULATIONS TO ROBIN ROSENBAUM IN RECOGNITION OF THE MASTER FARMER ASSOCIATE AWARD. COMMISSIONER COE SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DIRECTOR'S TRAVEL

February 9-12, 2007, NASDA Mid-Year meeting in Washington, DC

MOTION: COMMISSIONER COE MOVED TO APPROVE THE DIRECTOR'S TRAVEL. COMMISSIONER NORTON SECONDED. MOTION CARRIED UNANIMOUSLY.

SAMPLE TESTING FEES: Steve Reh, Director, Laboratory Division and Steve McGuire, Director of Operations

Mr. Reh shared information regarding fees charged by the laboratory and type of testing conducted. He noted significant areas where fees are brought in and directed into the testing fees fund. The animal disease surveillance testing brings in approximately \$254,000 per year and he provided cost comparison with other states. The seed testing area brought in approximately \$19,760 last year and he provided cost comparison with other states that provide this type of testing as well as some private labs. MDA's fees are on the low end and should be increased. However, seed testing fees are stated in the seed law and in Regulation 715. The last time they were adjusted was in 1992. Mr. Reh

stated he would like to see the seed law opened and changes made to allow for the Commission the approval right on the seed fees.

The area of miscellaneous sample tests includes a variety of testing services provided by multiple sections in the Laboratory Division. Requests in this category are received primarily from policing organizations, state agencies and Michigan State University (MSU). The special nature of these tests makes it difficult to provide meaningful comparisons with charges from private labs, however, the division attempts to recover all costs when assessing charges. If possible, a private lab is recommended.

A brief discussion ensued regarding the opportunity to make changes in the seed law and Regulation 715.

Commissioner Byrum asked that Liesl Clark, Legislative Liaison, review the seed law and Regulation 715 and to revisit the issue at the February meeting.

LEGISLATIVE REPORT: Liesl Clark, Legislative Liaison

Ms. Clark distributed a copy of the National Association of State Departments of Agriculture (NASDA) 2007 Farm Bill Recommendations. Staff from Michigan participated in the development of this document. Additionally, she shared a list of priorities in a summarized form. She encouraged the Commissioners to read the recommendations and relay any questions or concerns to her.

Ms. Clark briefly shared end of the year activity since the December Commission meeting and distributed a list of the members of the Senate Agriculture Committee and Senate Agriculture Appropriations Subcommittee. The information on the House committees is not yet available.

A brief discussion ensued regarding the NASDA recommendations.

GENE THOMPSON SCHOLARSHIP: Barbara Hensinger, Director, Fairs, Exhibitions & Racing Division

The MDA staff has initiated a variety of programs to support Michigan Youth in Agriculture with their project run with the Michigan Food Bank and the Michigan State Fair, purchasing animals both at the Michigan State Fair and the Upper Peninsula State Fair. Part of that is funded through the annual MDA employee golf outing.

Many years ago, Gene Thompson, a supervisor at MDA and strong supporter of that event, passed away and staff continued holding the golf outing in his name.

A separate fund was established within the Youth Livestock Fund Program to recognize the dollars and to recognize Gene.

In past years there have been a variety of programs at both state fairs in Gene's name. After last year, enough money was collected to endow the program and offer a scholarship to MDA employees or their children who are students at MSU. Criteria and selection process has been established. The first scholarship will be awarded this year and presented with Commission approval at the July Commission meeting.

Director Irwin commended the staff volunteers for this effort and thanked Barb Hensinger and Jeff Haarer for their assistance.

PROPOSED BOVINE TUBERCULOSIS ZONING ORDER: Dr. Steven Halstead, State Veterinarian; Dr. Michael VanderKlok, TB Unit Manager, Kevin Kirk, Special Assistant to the Director

Dr. Halstead distributed copies of several documents including the Proposed Zoning Order, a Question and Answer Sheet of Frequently Asked Questions concerning Electronic Animal Identification, an activities report from the Animal ID Task Force, and a copy of Dr. Halstead's testimony.

Dr. VanderKlok briefly reviewed the history of bovine tuberculosis in Michigan and changes in the proposed zoning order. There have been successes in the program to date, most notably the Upper Peninsula being designated as TB free and that is represented in the proposed order. There have been significant changes in the national TB program along with other successes in other areas of the state. Bovine TB has not been found in the majority of the Lower Peninsula in any species. That evidence has been provided to USDA and agreements have been arrived at with USDA on moving forward and upgrading those areas to TB free status. This would allow MDA to focus assets in the modified accredited area in Michigan where the disease still exists.

In the last fiscal year, there were seven TB infected herds. The strain of TB is unique and can be distinguished from other strains of Bovine TB in the world. This is important in continuing to keep markets open in the state. Some may remember that when we lost TB free status in 2000 and the entire state was termed a modified accredited zone, Michigan had an

almost complete cut off of the breeding animal export industry and severe impacts on the meat industry. These caused a huge economic impact.

We have moved forward to be able to mitigate and reopen the markets. If the strain of TB in Michigan is found in another state, it would be devastating to the export industry in the state. MDA is committed to seeing that does not happen.

The current program has demonstrated that if we do find Bovine TB in a herd, the tracebacks can be done immediately and are able to follow animals with the systems in place, including electronic animal identification system used exclusively in the modified accredited zone since 2002. Affected animals have been located in a matter of days instead of months which has been critical in preventing the spread of disease to other herds and other states.

In 2004, Michigan moved from a modified accredited status through the state of Michigan to a modified accredited advanced to the majority of the Lower Peninsula and UP. In 2005, the UP became recognized as TB free. With other changes in the program, USDA has indicated if MDA makes some logistical changes and other changes to bring Michigan in line with changes made in the national program, they would consider moving the majority of Lower Michigan (currently modified accredited advanced) to TB free status.

The proposed zoning order would establish three zones in Michigan with a proposed effective date of March 2007. Statewide, the zoning order would mandate electronic animal identification ear tags in cattle moving from farms. In the Bovine TB free zone (in the UP), there is a random surveillance program throughout the state and the number of herds tested would be reduced from 125 to 25 herds for the next year. Additionally, Michigan would institute a certificate for movement of animals between zones.

In the modified accredited advanced zone (the majority of lower Michigan) there is a change in the federal laws that would require testing of sexually intact animals, 6 months of age or older, to move to another zone. This is a national change.

Also, a continuation of the random surveillance in the modified accredited advanced zone (750 herds a year) is required. A certificate for movement to another zone is required. He discussed different ways to obtain those certificates.

No changes are proposed in the modified accredited zone.

Dr. Halstead commented that this was the first opportunity they have had to present the zoning changes to the Commission and he stated the intent to return at the February Commission meeting with reports from hearings and meetings and present formally to the Commission with a request for support for the proposed order.

Mr. Kirk briefly reviewed the electronic animal identification program, also known as Radio Frequency Identification (RFID). A component of the Implementation Plan consisted of educational meetings, educational workshops, development of brochures and educational material, print materials for industry publications across the state and radio spots throughout the summer, fall and into December.

In April 2006, under the leadership of Dan Buskirk, Associate Professor, Animal Science Department, MSU, a task force was put together called the Michigan RFID Education Task Force. Members included individuals from MSU, MSU Extension, Michigan Cattlemen's Association, Michigan Milk Producers Association, Michigan Farm Bureau and MDA. The purpose of the task force was to develop a consistent message to be disseminated to the industry regarding the importance of RFID.

Feeder calf sales were monitored in fall 2006, noting the number of calves that came into the market that were tagged. The results varied from 39% to 100% of the calves tagged, depending on the sale.

He also noted a list of over 50 meetings and events staff has been involved with over the past year. Over 2,500 producers attended the combined events.

Since letters went out to producers in February 24, 2006, over 5,000 producers have ordered the new 840 tag which they are using. That number is in addition to the 2,179 producers in the UP, and the modified accredited zone number over 263,000 tags. The totals reach over 7,000 producers and 725,000 tags since the electronic program began. Well over 50 percent of producers are using the tags or have them at their farm site.

There are eleven livestock auction markets in Michigan that will have a stationary reader. The tagged animal walk by the reader and the information is captured into a database. Three smaller markets have portable readers that an individual uses to record information from each

animal. One of the small collection facilities in the UP has a reader for cull dairy cows that are going into Wisconsin.

There are seven large kill plants in four states that have readers. These plants represent approximately 80 percent of Michigan cattle. Over 70,000 animals have been sighted at the different markets over the last three years. Over 32,000 have shown up at one of the large slaughter plants. In addition, over 3,500 animal tags have been collected in small custom plants in Michigan. That information is recorded as well.

A number of people have requested considerations on the March 1, 2007 deadline. He briefly reviewed biblical concerns about the use of numbers were producers did not want their farm assigned a number as well as an individual animal number. A pilot project was conducted with eight markets providing the 982 tag, which differs from the 840 tag. The 840 is a USDA official tag that replaces the old metal tags. The 982 (or 985) tags are manufactured tags approved by USDA and do not require a national premises number to use. Some individuals may not be able to restrain their animal at the farm so they would be allowed to have the animal tagged at the market rather than to turn the animal away. There may be a minor tagging fee to provide that service.

The objective is not to turn producers away from the markets on March 1, 2007. The educational campaign will continue as the March deadline comes near.

Director Irwin noted that the Commission and MDA staff wants to listen and learn from the individual's comments present at the meeting. He explained that since 1921, the Michigan Department of Agriculture's first priority has been food safety and assuring the citizens of Michigan that the food supply chain is safe. MDA requires tagging of all cattle moving from farm premises with electronic identification in order to enhance food safety. He stated that copies of Dr. Halstead's testimony was available that represents MDA's position based on action taken by the Commission of Agriculture.

He noted that friends can disagree and thanked those in support of electronic animal identification and for those in opposition he stated that those opinions are respected and appreciated.

He stated that the citizens of Michigan expect and demand that we take all action necessary and proper to secure food safety and this is the number one goal.

Dr. Halstead made the following comments:

Each day MDA employees work to keep consumers' food safe at processing plants, dairy farms, grocery stores and more. Electronic animal identification is vital not only to protecting the wholesomeness of Michigan's food supply, but also making state producers competitive in a global market.

Electronic ID does three things: provides enhanced food safety and security by affording citizens a quick, coordinated response during food emergencies; offers Michigan producers the opportunity to maintain—as well as expand—export markets, which demand traceability; and greatly assists us in our effort to achieve TB-free status.

The government programs currently in place for disease tracking (except in the TB Zone) are slow and outdated. The inability to quickly contact livestock producers actually jeopardizes the livestock industry and puts it at risk for rapid disease transmission.

Michigan's identification initiative is essential to our unique zoonotic disease eradication effort, and is not dependant upon or integral to, the voluntary National Animal Identification System.

MDA has been, and continues to be, transparent about this program. We proposed bovine TB zoning changes in November 2005, mandatory electronic ID in March 2006, amended the zoning rules in November 2006; have published the rule changes and held public meetings throughout the year to inform and educate Michigan's citizens and impacted stakeholders of these changes.

Protecting the food we eat is really a team effort and everyone has a role to play in preserving the continued viability of Michigan's second-largest industry.

Effective response means tracing a contaminated food item back to its source, which usually means the farm. Then all possibly-contaminated product lots are identified and quickly removed from the marketplace, thus preventing further human exposure and illness. The faster this is done, the fewer people who will become ill.

Michigan's electronic animal identification program is a fundamental component of our response to human illnesses caused by animal food products. It is a vital tool in our effort to protect the health of our citizens.

MDA's long-standing commitment to a safe food supply - from farm to fork - has earned Michigan a national reputation for strictly enforcing the state's food and dairy laws, placing us among the best in the nation for food safety.

Dr. Halstead further commented that there is a lot of material being circulated in the general public and wanted to comment on some of the statements.

Dr. Halstead stated that the Michigan initiative is not the National Animal Identification System (NAIS). The NAIS has been made voluntary by the Secretary of Agriculture. In Michigan, it has been determined that in order to eradicate Bovine Tuberculosis and preserve Michigan agriculture, it is important that this tool be put into place for our use. He stated that we do not believe there is a heavy burden on producers. The cost of the tags is minimal and, in fact, cheaper than vaccinations and other health initiatives that should be undertaken routinely on farms. There are no other systems in place to effectively allow tracking of diseases. USDA has stated that in several Bovine Spongiform Encephalopathy (BSE) cases, they have not been able to successfully locate all animals that may have been exposed to contaminated feed stuffs or to animals that were positive for BSE, which leaves us vulnerable to those animals still being either on farms or in the meat case. The paper systems are simply not sufficient. Electronic identification does allow both a timely and secure response.

There have been concerns over the vulnerability of databases and the devices themselves. The information that MDA retains related to animal testing and tags is stored in state-owned servers that are behind the State's firewall and are supported 365 days a year and are supported around the clock, within those systems. The devices themselves (the tags) contain only a digital number. They are passive and do not contain a battery, no power source within the tags. They are permanently encoded with a unique number only. They do not contain the owners name, they do not describe the animal, address or geographic coordinates for the animal or the farm. The encoded number is simply a reference that links it to information in the secure database. It is only available when the tag is stimulated by the radio signal from the reader. Any attempt to either alter the encoded number or to infect the tag with computer viruses result in destruction of the tag.

This program has been discussed for long time. Presentations have been made and discussions held before the Commission, in public meetings and the Task Force is in place. There has been much involvement by

agriculture industry groups and grass roots involvement in the decision-making processes.

There is absolutely no requirement for a lost tag to be replaced within 24 or 28 hours or that a veterinarian is to report untagged animals. The program that has been initiated requires tagging of the animals only upon their departure from the farm. Arrangements have been made for those who are unable to tag their animals; others will tag the animals on their behalf at market entry.

Dr. Halstead also noted a letter from Dr. Keith Sterner, a veterinarian from Ionia, Michigan who asked for it to be included in the Commissioners' packets.

Commissioner Byrum commented that a substantial amount of written testimony had been received and will become part of the meeting record.

PUBLIC COMMENT

Commissioner Byrum reviewed the Commission policy established for Public Comment.

Doug Meiberg made the following comments: "It is amazing that two people can look at the same thing and see something different. I am here to present the other side of this issue. I represent these people including all the people standing out in the hallway. I am Doug Meiberg, a registered breeder from North Branch, Michigan. I make all my money in the cattle business.

Since this Commission last addressed the Michigan Mandatory RFID Program the landscape has changed dramatically. The National Animal ID program has been scrapped and replaced by a voluntary program. Players in this issue reacted quickly. Michigan Farmers Union is here to state their opposition to the MDA mandatory RFID Program. As we speak the national Farm Bureau convention is being held in Salt Lake City. Mandatory Animal ID is on the agenda for discussion. We expect Farm Bureau to change their stand on Mandatory Animal ID. Legislation is being introduced, is pending or has been passed in many states to change or eliminate altogether any form of Mandatory Animal ID. Michigan is the only state currently still moving forward with a Mandatory RFID program.

The National Cattleman's has praised the voluntary approach after being the original supporter of the mandatory program. R CALF USA is opposed to mandatory RFID from the start and is now calling for more programs to totally eliminate everything related to a mandatory ID

program. Developments in Congress this summer will certainly hasten the retreat from any mandatory ID program. As time passes since November 22 (the date this national mandatory program was scrapped) the entire beef industry is clearly moving away from supporting any mandatory program.

About 400,000 beef and dairy cows have been tested, retested and tested again and have never found TB in any of them in the last nine years. MDA staff has done a fantastic job of finding TB and surrounding it. A reasonable person would then surmise that these cows do not have TB and should be managed as such. In addition, calves born to these cows, another 400,000 this year, will also be TB free. You could make a case that the steel tag that is already in the cows ear that she is from a non-TB area and has been tested to prove it. Perfect system we should use.

What about the cost of this program? Tagging the 400,000 cows and calves, putting them through a shoot and everyone buying a tagger, it will amount to \$6 million to put a tag in a cow that we know does not have TB.

As a businessman in the cattle business, I study ways to make money. I have heard of no study or report that returns even one dollar for the effort and expense to tag TB free cows and their calves. Add on for wear and tear on cattle, equipment and people as another expense. In addition, someone will have to pay for the record keeping and data entry. No one has said a word about it. I wonder if the economy can absorb the related expenses.

I read MDA brochures that tout source verification and export markets as benefits of mandatory ID. The export market for beef is largely variety meats and high quality primal cuts, both in very low volume. So why do we need to tag all cattle just to export parts of a few cattle. Source verification is based on owner records and has little to do with the tag used. Source verification is nothing without the owner's signature. With no other states using RFID tags they become useless outside of Michigan.

I hear veiled threats that USDA will withhold TB free status if we don't use RFID. History says this argument is not valid. Five states have contracted TB since Michigan first contracted it and started our eradication program. Five states use the same system we have in place now and all five states tested out of the program. I'm sure that USDA is more worried about us solving the TB problem than which tags to use in our cattle, especially in the ones we know don't have TB. You should also know that RFID tags have been used in the TB zone for more than four years. Obviously changing tags in the TB zone, where we know were the TB is,

did not solve the problem of TB. Then there is no logic to putting another tag in a cow that we know does not have TB.

I would like to point out also that all 400,000 of these cows currently have a steel tag in their head signifying that they don't have TB. We need to leave the currently tagging system just like it is. RFID in the TB zone and steel tags in the red area on the map. This would allow us to continue to search for TB and not waste our money trying to keep track of the majority of the cattle in Michigan located in the red area on the map that do not have TB.”

He thanked the Commissioners for their time.

Lisa Imerman stated she represented the consumer view. She stated that her family buys the majority of their food locally. They have developed a community of local food purveyors and like that way of life and feel that this puts it in danger. She also thinks it is good for the economy to keep the money local.

She commented about the recently released report of the Michigan Food Policy Council. The report states that Michigan's agricultural diversity is second only to California's and that represents a large economic sector of the state. It also states that if consumers spent 10 percent of their at home food budget on Michigan grown foods, sales of Michigan grown foods would increase by \$730 million benefiting the entire state. This is non tax based money, it is a redistribution of economy. This might help offset the costs of the tagging program.

According to the report, a lot of farmland has been lost in the last couple of decades. Between 1972 and 2002, the number of farms decreased by 17percent. Farming and farmland and that way of life is very important to Michigan is in danger. She would not like to see any of her farmers go out of business because of this tagging program.

She commented that creating food safety for her family, means knowing who creates, who raises and provides their food. That is the main reason for their switch to buy local. She feels that many of the food borne illness and problems are more frequent in the conventional food distribution model. She again referred to the MFPC report stating that increasing purchases of Michigan foods will help local farmers, processors and retailers capture a larger share of residents' food purchasing power and choosing Michigan foods reduces the number of food miles. Fewer food miles results in lower transportation energy costs and a higher likelihood that food is fresher and perhaps more flavorful and nutritious. It also

provides a layer of food security in cases of regional, national, and international food and energy supply disruptions.

She believes that keeping the food local will it will increase food safety. She also stated that putting a tag on a cow for export can be done in a voluntary program. There is a layer of food safety there for the export market which can be handled on a voluntary basis. Making all the cows have these tags and the smaller farmers who do stay local, puts a cost burden on them that will filter down to the consumer and create less or a market.

She stated that as a consumer, she think that if her farmer cannot afford to do this program and causes other issues, if they decide to go out of business or do not comply with the requirements, it becomes a black market food distribution system which would hurt everyone economically, food safety wise and in all other realms.

She urged the Commissioners to take a closer look at requiring a mandatory RFID tag in cattle. The USDA has stated that the NAIS is a voluntary program and does not think Michigan should go beyond the federal mandate.

She stated that the Michigan program has been stated to be the precursor to NAIS and in order to get the tags, farmers must register their premises with a US-PIN (US Premises ID Number). She also provided written comments, a related published article and a copy of the letter sent to producers on February 24, 2006.

Dr. Ted Beals provided a written comment to the Commissioners. Dr. Beals stated that as a pathologist he has been drawn to the public health and farming issues related to bovine tuberculosis and have followed closely as Michigan as become a national and international focus of extensive research and policy issues related to this disease.

He stated that you might ask if the system of testing, tagging and herd management in our State's bovine TB eradication program has been OK, why does he object to the NAIS that it looks like the State is creeping into through the back door.

He stated that the State's TB eradication system was designed to address a specific and current health threat. The animals and the herds included are limited to the current threat of bovine TB. Herd management is controlled only when the findings of testings warrant such intervention. Movement of animals is controlled more rigidly than under NAIS only

within the specifically affected geographic areas. Record keeping on the farm is minimal and once TB eradication has been achieved as in the other states, the system is no longer needed.

In conclusion, he recommended that MDA rollback their unauthorized assignment of NAIS compatible numerical designations in the state's TB database. In the last few months, MDA has been emphasizing that this is a state program and not NAIS. However, many people are concerned about he called "creep", a way in which the states program eases into a future NAIS program which many people find highly objectionable. The state should also resist all efforts to piggy back NAIS onto their Bovine TB Eradication Program. He also wanted a policy developed that assures there is no link between the state's animal identification program which is designed to eradicate TB and the NAIS.

Harley Thomas is an organic dairy farmer and he thanked the Commissioners for their time. He stated that because there has been some confusion on where the Amish community stands on the issue of NAIS, he asked his wife to read a few lines of a letter from the Amish in the Clare area.

Linda Thomas read "We as members of the Old Order Amish Group are very concerned about the National Animal Identification System. The government has so graciously provided us free Liberty Conscience Exercise which we cannot be thankful enough for and beg to have it extended."

Mr. Thomas said that RFID (or NAIS, its truer identity) has already been put on hold by the Senate Agriculture Appropriates sub committee by a unanimous vote and has been handed over to the Governmental Accountability Office for review. Also in Washington, both the House and Senate have introduced bills that prohibit any federal animal identification program that mandates the participation of livestock owners and prohibits federal funding for any such program.

He stated the NAIS was never designed for tuberculosis eradication. Now that its intrusiveness and value is in question at the federal level, he encouraged the same today by eliminating this program.

The current system of using metal ear tags in livestock to eradicate bovine tuberculosis has not been utilized to its fullest. He asked he it was known that the custom slaughterhouses across the state have not received training on how to identify TB nor protocols on what to do if it is identified. That accounts for 95 percent of the slaughter houses in Michigan. These

slaughterhouses should be the eyes for the physical identification of tuberculosis and are not being used.

Additionally, farmers have been told that NAIS will improve their market. However, fatted cattle and dairy cow bidding prices are virtually the same from the TB infected area stockyards in Cheboygan, Michigan to the TB free stockyard in Topeka, Indiana.

He stated that his true concern about NAIS has to do with his beliefs, his Christian beliefs, Christian freedoms, that he's guaranteed by the First Amendment of the Constitution of the United States. In the Bible, Revelation chapter 13 foretells of a number that is given to any person, in order to buy, sell, or trade, and that believers are not to take a number. The consequences of taking this number mean eternal separation from God. He asked if this is that number or at least the forerunner and said this is a very serious dilemma for his family and New Testament believers.

He commented that he knows two Amish families that have already sold their herds and dairy equipment because they will not go against their religious beliefs. If you allow March 1, 2007 to come and go without stopping this measure, we may also witness the exodus of many of our Amish and Mennonite neighbors across the state border.

His second concern is Premises Registration and what it really means. He was unable to find the information on the NAIS website.

He stated that at an NAIS meeting in December 2006, Kevin Kirk told them they could expect imprisonment for noncompliance. Then on January 4, 2007, Mr. Kirk told him that he is exempt from NAIS for his religious beliefs. How arbitrary are these measures and at whose will? What about those who have already complied with NAIS not realizing there would be a forthcoming exemption? Can they remove their exposure on the national database? How will they remove this encumbrance from their land and home?

He stated that we need to totally eliminate the NAIS program in Michigan. If any form of NAIS is allowed to remain intact, it will provide the prospect of it to re-grow like a cancer once again, threatening freedom from tyranny which our forefathers fought and died.

He wonders that if in the near future we will look back with regret, much as we do today because of we naively allowed NAFTA and GAFT into our borders. NAIS is about globalization and corporate greed and it may even lead to corporate patenting of life forms in the future. We already have an

animal identification system that is paid for and is up and running in our state. Let us utilize this and stop NAIS and tuberculosis together.

Dr. Gregory Holzman, Chief Medical Executive for the State of Michigan, thanked the Commission for the opportunity to testify in support of the Michigan Department of Agriculture's electronic ID initiative. He was joined by **Melinda Wilkins**, Division Director, Communicable Diseases, Michigan Department of Community Health. Dr. Holman stated their goal was to focus on how they use some of the information provided by this program.

Dr. Holzman read the following statement. "As the State's Chief Medical Executive I am charged to protect, preserve and promote the health and safety of the people of Michigan.

Our vision is to make Michigan a safe and health state where all people realize their fullest health potential and live enriched and productive lives. We strongly believe that a safe and affordable food supply is essential to that vision. We appreciate the strong partnership we have had over the years with the Michigan Department of Agriculture. That partnership is based on the shared conviction that consumer health protection and agricultural economic viability are not mutually exclusive objectives.

The electronic ID initiative is an important part of efforts to protect the health of Michigan citizens from both 1) foodborne illnesses, and 2) zoonotic diseases.

It is a proven fact that the citizens of our nation currently experience a heavy burden of foodborne illness – CDC statistics have established the annual number of foodborne illnesses at 76 million, with 325,000 hospitalizations and 5,000 deaths. Examples of disease-causing organisms normally found in farm animals across Michigan and the nation include many of the common foodborne agents such as *E. coli*, *Salmonella*, and *Campylobacter*. Today, more than ever before, we understand the all-too-often severe consequences of foodborne illnesses. For example, Hemolytic Uremic Syndrome (HUS) caused by *E. coli* 0157:H7 bacteria can result in permanent kidney damage, organ failure and death, especially among our vulnerable citizens, including our elderly, pregnant women, and children.

Zoonotic diseases are another potential human health threat. These are the diseases that may be transmitted between animals and humans – and are a concern for all people, no matter what their age, gender or economic status. As we have learned from the experiences of England and Canada

in dealing with Bovine Spongiform Encephalopathy (also known as “Mad Cow Disease”), the quicker government and industry can respond to such a crisis, the quicker we can limit the damage to public health, public confidence and the affected industry.

Time is of the essence when prevention fails and outbreaks of foodborne illness or zoonotic diseases occur. It is an unfortunate fact that by the time government agencies learn of outbreaks, contaminated food products are often already widely distributed. Early detection of an outbreak, coupled with a rapid, well-coordinate investigation, and swift implementation of control measures can make a significant difference in the number of people who become ill and quicker diagnosis of those already infected.

Animal ID is just one part of a comprehensive effort to better identify and track food from farm gate to consumer plate. Determining how foods become contaminated requires a traceback investigation where we identify the source and distribution of the food product. Investigators carefully review laboratory, environmental and epidemiological evidence along with the traceback efforts. We must compare the distribution of illness and distribution of the product and finally determine the potential route of contamination.

Modern technology has provided powerful tools that can and have been used to reduce and sometimes even eliminate causes of human illness – tools such as appropriately used antibiotics, vaccines, sewage treatment and animal health programs. But these risk reduction measures all cost money and in this era of shrinking resources – for governments and industry alike – we need to assure that our disease prevention and emergency response efforts are targeted to where they are most needed. Accurate animal ID programs are very important to make sure that our efforts are focused where they will be most effective.

To reduce the number of illnesses in Michigan, we need everyone in the food system to play their part. I believe electronic ID in cattle will strengthen accountability, helping us to address gaps in food animal production systems where they may exist, and ultimately foster greater public confidence in the safety of our food system. Knowing where food comes from, where it is grown, and how it is produced promotes public health confidence in the food system.

In summary, let me say once again that the risk of ongoing exposure to the public to contaminated foods and zoonotic diseases, along with the

critical need to provide rapid response to those risks, clearly demonstrates the need for an effective on-farm animal ID program here in Michigan.

Thank you for your time, and the opportunity to speak today.”

Tonia Ritter, Michigan Farm Bureau (MFB), thanked the Commission for the opportunity to speak. She stated the policy creation process is truly a grass roots process. There are 67 County Farm Bureaus with nearly 48,000 farmer members that create MFB policies. The process is completed annually. Most recently, the state annual meeting was in late November and reaffirmed policy regarding a mandatory identification system.

She read directly from the MFB policy: “We support the swift implementation of a mandatory identification system for Michigan’s livestock industry and encourage the continued utilization of producer input into the development and implementation. We support cost share where feasible. Producer information shall remain proprietary, not subject to the Freedom of Information Act or any other public use.”

She stated this policy reflects the membership’s position and concerns about the identification system and that the members reinforced this policy position for several reasons. Michigan’s TB problem is unique. We continue to find positive herds in Michigan while other states managed to get to free status. Because of this, we continue to deal with strict and burdensome testing requirements. We are concerned that if we do not use this mandatory identification system, the alternatives will likely be much more costly and much more burdensome and take much more time to advance statuses in the State of Michigan relative to Bovine TB. Finally, the members supported this policy because they believe it will maintain food safety and meet consumer demands.

Dr. Dan Grooms read the following statement into the record.

“Thank you for the opportunity to visit with you today. I am a veterinarian and an associate professor in the Michigan State University College of Veterinary Medicine. My research, outreach and teaching programs focus on the control of infectious diseases of food producing animals. I am also a cattle feeder.

In the summer of 2001, I had the unfortunate opportunity of going to the United Kingdom as part of a multi-national veterinary task force to help battle an outbreak of foot and mouth disease (FMD) in their cattle, sheep and swine industry. As I am sure you are well aware, FMD is a disease

we do not have here in the United States. It is one of the most highly infectious viral diseases known and can cause devastating production losses and health issues in infected herds. That outbreak resulted in the death of nearly 4 million animals including over 500,000 cattle and an economic loss of over 10 billion US dollars. As a point of reference, the UK and Michigan are roughly the same size in terms of both land mass and cattle numbers. I personally sat with farmers who were terrified of the consequences should the virus show up on their farm. I walked through pastures in the Yorkshire Dales looking at cattle that a week later became infected with FMD and were euthanized. I witnessed farms being depopulated, business shut down. It was an experience I will not forget, and certainly not one I want to repeat in the United States. Although the UK had at that time a mandatory ID program as a result of the "Mad Cow" disease, it was widely believed that an RFID system would have helped to reduce the losses that occurred during that outbreak. I do not mean to imply that RFID will prevent FMD from entering the country, but I do believe that when, and notice I said WHEN, FMD enters this county, an RFID system would allow for a more rapid control response, thus saving the lives of many animals and reducing the devastating economic losses. If any of the committee members would like me to visit with them personally about my experiences in the UK, I would be more than happy to do so.

In addition to preventing the spread of foreign animal disease, such as FMD, an identification system is capable of tracking animals from the slaughterhouse back to the farm or origin and can help reduce illness and death from food poisoning. We have already demonstrated that here in Michigan with our RFID system in the northeast part of the state. Each year 76 million Americans contract foodborne diseases from pathogens such as E. coli 0157:H7, Salmonella and Listeria. Five thousand of them die. USDA's Economic Research Service pegs the cost at over \$3.5 billion annually. Our current ID program has been successful in aiding in the eradication of or near eradication of several production limiting diseases and human disease from livestock industry. I am proud to say, as a veterinarian and cattle producer, we have an extremely safe food supply that originates from animal agriculture...but we can do better and we have the technology in our hands to do better. It seems to me that animal producers should welcome and relish a system that can help them to produce a safer and higher quality product.

I would also like to add that many countries have already adapted mandatory ID systems for their cattle industry including Australia, Canada, and the UK. Their systems are designed to improve traceability, to enhance food safety, to ensure product integrity, to allow and to sustain

international market access, and to provide progressive livestock producers with enhanced management opportunities. It is very evident to me that this is the future of food animal production for those that want to participate in global agriculture markets.

In closing, I would like to mention that the Michigan RFID Educational Task Force has developed many tools to help producers understand the RFID system. The objective of this task force is to develop and deliver fact based information about RFID as an aid in helping producers adopt and utilize this technology. Included in this toolbox is the Michigan RFID Task Force website which I would invite all of you to visit if you have more questions about RFID and animal ID in Michigan. The web address is www.michigananimalid.com. The task force is composed of MSU Extension, Michigan Department of Agriculture, Michigan Farm Bureau, Michigan Milk Producers and the Michigan Cattlemen's Association, all who recognize the importance of and benefit of RFID in Michigan.

Thank you.”

Kathleen Hawkins, cattle producer and Executive Director of the Michigan Cattlemen's Association, presented a letter to Director Irwin and spoke in support of electronic animal identification in Michigan. The Michigan Cattlemen's Association has a membership of nearly 500 members, primarily family-owned operations of 40 head or less. She stated she and Mr. Bordner were speaking on behalf of policy that has been developed by the grass roots.

Monte Bordner, past president of the Michigan Cattlemen's Association and on the board of directors. Mr. Bordner submitted a letter from his farm, Bordner Angus Farms, in support of electronic animal identification. He stated his family has been cattle producers in St. Joseph County for four generations. He wanted to focus on the issue of RFID program, TB eradication. Michigan is the only state with a TB problem with a wildlife reservoir. It is very different from the other states that have had a bout with TB and been able to clean it up. We must also comply with federal law. He stated that sometimes it does not make a lot of common sense, but it is the federal law that must be complied with.

Being in the pure bred business, they sell cattle regionally around the Midwest and across Michigan. He lives three miles from Indiana, 35 miles from Topeka, Indiana (one of the major sale barns in Indiana.) To sell feeder cattle or breeding cattle at that venue, they have to have a TB test. Once Michigan again reaches TB free status, that test would be eliminated and the cattle could move to those sale facilities.

The TB problem has cost the state of Michigan and the federal government over \$100 million and producers have lost tens of millions of dollars in lost markets, testing costs and time spent trying to eradicate the issue.

Since 2002, the Michigan Cattlemen's Association has had a policy endorsing the mandatory identification and Commissioner Jousma-Miller is aware of the progress made in the UP by requiring mandatory identification. For application for free status in the southern part of the state we will be required to increase surveillance efforts and RFID's would allow scanning of trailers and comparing those numbers to documents without offloading cattle. The Michigan Cattlemen's Association is in favor the electronic animal identification and think it is the prudent thing to do to expedite eradication of TB in Michigan.

Bob Linck and his son own and operate Raub-Rae Farm in Lapeer County, near Brown City. They have a small, fourth generation farm producing organic grains, beans, hay, pasture, cattle and poultry. For 40 years, they also had dairy cows.

Mr. Linck offered written testimony and also gave the following testimony: "I have lived through the eradication of TB in the 1930's, Brucellosis in the 1940's and 50's and the long struggle to control foot and mouth disease and many other health problems since. During this period of 70 years, we have developed effective animal identification systems.

Today, we identify our animals at birth and that follows the animal through growth, packer, and right to the consumer.

Mandatory NAIS will force us to add a duplicate system that is less accurate, more expensive, cumbersome and increases labor but adds nothing to animal health or consumer protection.

Limited time does not allow us to provide details to verify our reasons for opposing NAIS. There are however recent developments to consider. USDA has withdrawn its mandatory provision for NAIS. The December 15th issue of Michigan Farm News reported that Chuck Conner, Deputy Secretary of USDA announced that "NAIS is a permanently voluntary program at the national level." Why is MDA demanding it be mandatory in Michigan?

We have recently learned that in Michigan There will be special exemptions for large confined cattle feeders operations that may have

thousands of cattle in their pens. These producers will be allowed to identify their cattle by lots. Thus lots of 50 or 100 would only need one tag while we with a small herd of 100 cattle will have to identify each and every animal. The animals would have to be identified under the heavy threat of heavy fines or prison plus we must buy and install an electronic tag in every animal.

Touting NAIS as a program to protect animal and human health is a farce. TB did not come from small animal producers; it came from the wild deer. Foodborne illness is not coming from small farms and meat producers, but rather comes from large corporate farms; failed inspection of meat and packers and also from imported food products and food components that are subjected to little or no inspection.

Forcing us to adopt NAIS is just another stake driven into the heart of Michigan small farms and businesses which have always been the most productive segment of our Michigan economy.”

(Commissioner Byrum left 11:00 a.m. for another commitment and Commissioner Norton continued to Chair the meeting.)

Ed Zimba thanked the Agriculture Commission for the opportunity to speak. He submitted written comments and also offered the following testimony: “Those of us today represent the many taxpayers, voters, farmers and consumers across Michigan and appreciate the democratic process which gives the opportunity to speak directly to the Commission.

My wife and I own and operate an organic dairy and crop farm consisting of 550 head of cattle and 2,700 acres. The farm has been organic for over 12 years. We are Christian and follow the teachings of Jesus Christ in the Bible which is what this great nation was founded on.

I have been a Farm Bureau member for years and had the privilege knowing both Wayne Wood and Jack Laurie as they live nearby. I have talked with both of them on this matter and found that one is in support of the computer tag and one is against it.

I am not an anti MDA person and know Kevin Kirk well. A few years back he called on me as well as others in the organic world to learn more about organics hoping to get the MDA involved. As a result, he jumped aboard the organic boat while it was going because he knew it was heading in the right direction.

The MDA has invited me to attend the Michigan Organic Summit this Thursday in hopes to discover how the MDA can better serve the organic farmer. Their efforts are appreciated. However, it is important that they realize this is not their boat to steer. We the people have to stay in control of chartering our own course.

Kevin Kirk and the MDA are attempting to create a boat of their own, without we the people, called RFID or better know as NAIS. In the beginning stages this boat may have sounded good to the Ag Commission. However, as others have already demonstrated the boat now has a lot of holes in it that will keep it from staying afloat. If I understand correctly one of the reasons MI is planning to implement this program is to get a head start on the USDA's NAIS program. However, USDA recently made known that the NAIS program will be on a volunteer basis rather than mandatory. The same day they issued a User Guide (November 22, 2006) announcing the availability of \$14 million to fund state programs under cooperative agreements. The cooperative agreements with the state include provisions requiring the states to reach certain goals for participation. The federal funds thus encourage states to adopt mandatory programs. Thus the MDA is now saying they need the RFID systems to become a TB free state. However other states have obtained TB free status without an RFID system. Looks like the USDA is hanging a carrot out in front of MDA to grab money and get TB free status. This surely is not a good enough reason to implement this program. At this time the USDA is testing only 1 percent of the slaughtered animals. However, they have now proposed reducing our already-low levels of testing by 90 percent. The USDA has justified this reduction on the grounds that it estimates that there are only four to seven cows in the entire country that have BSE. Yet the USDA apparently sees no contradiction in pushing for electronic tagging and tracking of millions of cows, a process that will not actually detect those few sick ones or prevent them from entering the food supply. They also claim that this program will help with our export market. But interestingly the USA actually import three to eight times as much beef as it exports. If we stop the imports from coming in we'll have higher prices on cattle.

I recently took time out of my very busy schedule to bring information and a petition against the mandatory tagging program to our local stockyards. The results were the same for both Marlette and Cass City. About 95 percent of the farmers, most of which are Farm Bureau members, signed the petition as well as the owners and managers. The response of other Michigan stockyards was the same. It seems clear to me that if we the people had the opportunity to vote on this it would be voted down for sure.

Isn't that the democratic way? Instead we are being told this is what has to be with no regard to the farmers and/or consumers best interest.

Studies have shown in both Britain and Australia that their total cost would be \$60 to \$80 per head, making the cost for Michigan's one million head of cattle at \$60 - \$80 million expense.

Other concerns I have are the heavy burdens this program will impose on farmers and consumers of Michigan. It will violate freedom, civil, and Constitutional rights noted in the 1st, 5th and 14th amendment, as well as the beliefs of many Christians, Amish and Mennonites. Because of our strong objections to this program we will be forced to sell our farms. Others however, will choose to take the risk and because criminals instead. It will create a permanent database of citizen's real and personal property violating the rights of privacy.

Rather than protecting us from bioterrorism as this new program claims, the computer database will actually make us more vulnerable to terrorism giving the terrorist an easy way to collect valuable information on our food supply.

Another claim is that the program will increase food safety. However these claims are unfounded as most foodborne illnesses are a result of poor slaughterhouse and food handling practices. There is also a great potential of the start of a black market as people are sure to not comply. No doubt they will choose not to call on a vet when needed due to the fear of being found out which could very well cause a disease problem.

In talking with Vern Lettega, owner of the Lake Odessa Sale Barn, I learned he has a friend in Florida that has a company called Scoring Ag. They have a system already in place that can read the steel tags that we use here in Michigan. For further information, Vern can be reached at 616-374-8213.

Who will be the blame if a problem arises when multiple owners are involved. For example, a farmer sells his nice healthy organic cow to a jockey. He then sells it to a factory farm who uses BST and milks the fat off her back until she is no longer profitable. The cow is again sold to the jockey to be sold to a restaurant. However, in transit she gets sick. The jockey pumps her full of antibiotics to avoid losing a profit. The cow is slaughtered and on her way to be eaten without knowledge of the heavy dose of antibiotics. A consumer eats the meat and has a fatal reaction due to the antibiotics used. The tracking system would track it back to the original farm, the farmer would be sued and more than likely lose

everything they have worked for unless he had bought insurance from Farm Bureau.

This program is sure to have a negative effect on Michigan's economy. Many would rather sell out than submit to this program. This will reduce the availability of local foods to the consumer as well as cause a real financial struggle for local feed and farm supply businesses, who sat on the boards creating this program at the national level, the manufacturers of microchips, computer software companies and the database companies who will monitor and maintain the program. Only large agribusinesses and technology companies will profit because they played a key role in developing this program.

In summary I would like to say that I am deeply troubled about the implication for both the farmers and consumers if this program is enforced. However, I am also hopeful you have listened carefully to our concerns and will make the necessary decisions to defeat this program as other states such as Vermont has done.

Thank you again for your time."

Pam Jaslove submitted written comments and also offered the following testimony: I would like to commend you. After spending hours reading reports I came to the realization that your job is to reduce deer herds (Research points to this being the best way to eliminate contact, between cattle and deer which causes the spread of TB) while at the same time keeping deer herd populations up. This is even a more compelling job. 725,000 deer licenses were sold in 2006 for firearm season. I tried to do the math at \$15 to \$160 per license with the average DNR customer buying 2.3 licenses, that's big bucks. Your research shows that the single thing that influences hunters is not the fear of TB but "where can I find the most deer?" So, how do we eradicate TB?

I went back to 2000 to see how the problem evolved. Under the circumstances, testing became a priority.

Technology is not the enemy. The practical and also the moral question is not if it is used (RFID tags) but how it is used. How anything is used is important. To be really effective, solutions must fit the problems. Let's use fences as an example. Wildlife Services went around putting up fences to separate livestock and deer. How does the joke go about the person raised on the farm never shutting doors, or in this case the gate?

The point is that \$202,000 of taxpayer money was spent. Were the farmers really into this? No enough to close the gates. Let's stop wasting time and money and get to some real issues. In the study, the fences were put up but they were not effective. There were problems with it because no one bothered to shut the gate.

Your studies indicate that farms with barns, daily human contact and dogs deter deer contact. There is a difference between a concentrated animal feeding operation or a terminal livestock operation and a traditional small farm. You cannot make one rule for every type of farm and facility including recreational animal owners with a broad stroke and say now, we solved that problem without creating more problems than you started with. Electronic tagging, tracking and premises identification has no point for everyone.

Have you made a determination as to where this program really makes the most sense? To me the problem is that it is a broad stroke for everyone. We need to be able to be fluid to respond to an emergency. There is no advantage to a program that tries to control everything on such a large scale.

The strain of TB that we are talking about has been found in humans in only two cases in seven years.

At this point everyone is required to participate, all cattle are required to be tagged (identified), everyone will be tracked (surveilled) and everyone must comply. What started out as an effort to implement surveillance and eradication strategies to eliminate Bovine TB has ironically turned into a mandate that will cause the eradication of small farms and the best part of the traditional American way of life. Reading over all the information on the State webstie makes this program sound like a good idea. So did the Salem Witch Trials. Let's develop a program to withstand the test of time.

On December 13, 2000, the Bovine TB Advisory Committee, comprised of agriculture industry leaders, stakeholders and producers, meets to review changes in the Animal Industry Act, and advise the departments on establishing directive for Bovine TB eradication. These farmers and recreational owners were not represented.

I think this is why everyone is so passionate. I think people are really hungry to be represented here and feel that they have not been. Instead of having a chance to sit down and make this policy, instead of being on board, we are here at the last minute trying to rebut.

I think all things have not been taken into consideration. I plead with you to make sure that when you set your policies that you are not building fences and leaving the gates open. In this case, we are putting the cream of the crop under the gun and out of business. Economically this plan is not in harmony with the growing trends. I would like to see the RFID program and NAIS stopped. I have not talked to one person who thinks it is a good idea when they get full disclosure. The tagging has its place on a voluntary basis but I request that the tracking and premises identification be stopped now.”

Bernie Jager, spoke representing the Michigan Bird and Game Breeders Association. Mr. Jager said he knows this is about dairy right now, but if it goes through, where do they stop next. Will it affect the small hobby farmers, raising swans, ducks, pheasants, etc? It stated it has to be stopped. If they are forced to identify every one of their birds, it will be a tremendous cost. It will also cost feed mills; they will go out of business because it is the small hobby farmers that are keeping them going.

He voiced concern about diseases being carried by people flying from Africa, Asia and Europe.

He stated that he is strongly opposed to animal identification.

Patricia Peoples is from Big Rapids, Michigan, Mecosta County. She is a 4-H leader and is against NAIS and RFID. She submitted written testimony and offered the following testimony: We are a 4-H family. We have been involved in 4-H for ten years. I am a Poultry Leader for Mecosta County. I have led poultry, sheep, and goats. We view these animals as our pets. If terrorists want to get something in the food chain and move it fast so it can't be traced, they would not be trying to get into our small family farms. They would look to the big corporate farms, where they raise thousands of animals in small confined places using lots of drugs to try to keep them healthy. It is those very corporate farms that will not have to micro chip all their animals.

When my daughter wanted to buy goats, we bought them from a registered breeder. We studied about the different diseases that goats can get so we would be informed in what to watch out for and what desirable traits we wanted. We bought registered goats that had tattoos in their ears. We did not want animals with tags in their ears.

Goats like to play and will pull the tags out of each others ears. Our vet has told us that when tattoos are properly done when the animals are

young the tattoo actually grows as the animals grows making it easier to read.

We pay yearly dues to two different goat breed associations for farm identification numbers, farm name usage, and herd tattoos. We received a Scrapie Premise ID number. Now we have received another premise ID (which talks about cattle only-we do not have any, but I have to keep this premise ID anyway.) We are getting very confused.

December 24, 2006 we received a Sheep and Goat Report from the National Agricultural Statistics Service. Merry Christmas! This form states it is voluntary, but on January 3, 2007 I received a call asking if I had filled it out and sent it back. I feel like I am being harassed by the USDA. Why do they need to know how many sheep, goats, hogs, pigs, cattle, calves, milk cows (both dry and in milk), chickens, horses, ponies, mules, donkeys and burros I have? I thought this was America. Where are my rights as an American citizen? My father and my husband gave of their lives to protect the freedoms of this country. Now I'm fighting for my right to have a few animals on our property.

We have been trying our best to raise quality animals and teach other 4-Hers the same. You don't make money raising r-H animals – you pay. We can't afford to pay any more. I am praying that you will really take the time to look into this matter. Small 4-H and family farms don't have the money that the big lobbyists do. These programs are going to hurt not just us but the places we do business with. I don't believe these programs are the answers.

I have two premise ID numbers. I have called USDA, the National Statistics Service and MDA and they are telling me it is voluntary. Why am I getting a call on January 3, the first day federal offices are open, at 9:00 in the morning? I feel that I am being harassed.”

John Dilland is the General Manager for the Michigan Milk Producers Association (MMPA). MMPA is a milk marketing cooperative of 2,400 dairy farmers located in Michigan, Ohio, Indiana and Wisconsin. Annually, they prepare a member resolution process looking at issues that are important to dairy producers in this region. Last year the delegates of MMPA adopted a resolution supporting NAIS and are beginning again to review the NAIS and the Michigan animal identification system. MMPA supports the program of animal identification and feel it is important to achieve TB free status in Michigan. It is important because of the cost associated with random testing through most of lower Michigan where TB has not been identified, but is still subject to the testing procedure. TB

free status is also important from the standpoint of eliminating the restriction on marketing of breeding animals. This is a significant source of income to many dairy producers.

MMPA supports the state of Michigan in its mandatory identification system.

Marilyn Momber, president of the Michigan Farmers Union, thanked the Commission for their time. The Michigan Farmers Union is a grassroots organization and she sits on the Board of Directors of the National Farmers Union. She shared the following position statement: “The Michigan Farmers Union, a statewide family farm organization, wishes to go on record in opposition to the March 2007 implementation of Michigan’s electronic animal identification and RFID presently as designed. We feel the food safety concerns it is meant to address are not supported by the current inspection situation and will give a false sense of food security. Until issues regarding economics, privacy and inspection that are of concern to many of our livestock producers are resolved, we urge a moratorium on activation of the state program.”

Dennise Wright, from Hart in Oceana County, is a full-time mother and farmer. She encouraged the Commission to think about the future of farmers. What asked what the future will look like; what types of strict regulations will be placed and will it encumber or encourage future farmers. Her three children have raised a product, brought it to market and helped the economy. She would like to see that continue but believes the tagging system and NAIS she believes it would be cumbersome and need to think of alternatives to these programs to get to the true issues.

She thinks there needs to be more education about bacteria and where it truly comes from, both in the food industry and with the farmers. She believes the large scale operations have problems with these organisms and need to come up with effective ways to deal with that. She does not believe that putting this burden on small farms is not going to be good for the future farmers. They need to be kept in mind as they are the future

Dan Buskirk, an Associate Professor, Animal Science Department, MSU submitted written testimony and offered the following comments: “I currently serve as chair of the Michigan RFID Education Task Force. The Michigan RFID Education Task Force was established in April, 2006 as a cooperative effort of Michigan State University Extension (MSU Beef Team & MSU Dairy Team), Michigan Department of Agriculture, Michigan Farm Bureau, Michigan Cattlemen’s Association and the Michigan Milk Producers Association.

The objective of this task force is to develop, deliver, and assess the impact of an educational effort to enhance adoption of radio frequency identification (RFID) of cattle in Michigan. The task force is addressing this objective with a variety of industry print communications, media presentations, producer meetings, displays, and demonstration sites.

Since MDA's announcement of moving to mandatory RFID in February of 2006, over 450,000 of the "new 840" tags have been purchased for the cattle population in Michigan. This represents 45% of the estimated 1 million cattle in the state (this is in addition to the 263 former "982" tags distributed in northeast Michigan). Approximately 7,000 premises that raise cattle have been assigned premises identification numbers. Likewise, this represents approximately 40% of the estimated 15,000 to 20,000 cattle owners in Michigan (this is in addition to 9,000 other livestock premises registered with the state).

The members of the task force are pleased with the adoption rate of RFID, especially in light of the facts that there are nearly three months until the requirement takes affect, and that cattle are not required to be tagged until they leave the premises. Therefore, we know that many producers will not purchase or apply RFID tags for animals in beef and dairy breeding herds until they are culled and marketed.

From my perspective of a beef extension specialist, I believe that being able to uniquely identify cattle for the purpose of preventing, controlling and/or eliminating animal diseases is critical to the security of the animal industry and to the resulting food supply. Because of the efforts to control bovine tuberculosis in Michigan, we have had a requirement to uniquely identify cattle for more than five years. Changing the method of identification (switching from metal tags to RFID tags) increases the speed, efficiency, completeness, and accuracy with which the Department of Agriculture can track animal disease.

I feel that based on today's animal population, current disease threats such as bovine tuberculosis (but also brucellosis, Foot and Mouth Disease, etc.) and man's ability to rapidly spread these diseases, it is in the best interest of all livestock producers to have an effective tracing system in place. For this tracing system to be responsive and effective, and minimize disease threats to Michigan's animal agriculture, it must uniquely identify animals, and it must be fast. Essentially, it must be able to create a usable record of present and past animal locations in less time than the speed of spreading disease. Currently, the technology to

accomplish this protection that best balances speed, reliability, and cost is radio frequency identification.

Please contact me if you have questions regarding the technology or activities of the Michigan Radio Frequency Identification Education Task Force.

Fred Ruggles, with his son, owns Ruggles Beef Farm, a 12,000 head feed lot with 200 cow/calf herd in Kingston, Michigan. He submitted written testimony and offered the following: "I feel very strongly that if the livestock industry is going to survive in the U.S., we must ID our cattle. I read the other day that we are the only civilized country in the world that can't identify our cattle.

We are in a world market, competing for foreign trade with countries that can ID cattle. If we are going to get that business, we are going to have to ID. Our own companies like McDonald's are demanding that their meat can be source verified. The consumer is demanding more information and we, as an industry, are going to have to furnish it.

For the past three years, we have sold our own cattle out of our cow herd to a value-added packer in Nebraska. Last year, we got \$100 more per head than the top cattle at Tyson that day. It was only because we could source verify and age verify the animals.

We have already seen the advantage of RFID tag with TB in Michigan, when the USDA allowed TB free status to the bordering area, if they RFID tagged their cattle.

I feel the benefit of the ID tagging of cattle for food safety issues and cattle tracing is a bargain for \$2.50 a tag.

All the cattle that come into my feedlot are tagged. We don't expect the state of Michigan to tag them."

Commissioner Norton thanked everyone for the patience and participation.

Commissioner Jousma-Miller thanked everyone for their respect and concerns brought forth.

ADJOURN

**MOTION: COMMISSIONER JOUSMA-MILLER MOVE TO
ADJOURN THE MEETING. COMMISSIONER COE SECONDED.
MOTION CARRIED UNANIMOUSLY.**

The meeting was adjourned at 11:35 p.m.

Attachments:

A – Agenda

B – Agriculture Commission Meeting Minutes December 6, 2006

C – Director's Report

D – Michigan Department of Agriculture Fee Comparison Information

E – NASDA 2007 Farm Bill Recommendations, September 18, 2006

F – Gene Thompson Scholarship

G – Testimony to the Michigan Commission on Agriculture on Electronic Animal Identification

Dr. Steve Halstead, State Veterinarian, January 8, 2007

Memo Dated December 8, 2006 from Mike VanderKlok to Mitch Irwin, Subject: Recommended Process for Consideration of Bovine Tuberculosis Zoning Order

Attended Presentations/Events Dates List

Public Hearings List

Questions and Answers for Mandatory Cattle Identification Program

H – Written Testimony Received through Public Comment from: Doug Meiberg, Victoria Meiberg,

Dr. Lana Kaiser, Keith E. Sterner, DVM, Patricia Peoples, Marilyn Momber, Vickie Pittman,

Nanette Lutz, Patrick Merren, John and Cindy Dutcher, Patricia Kapolka, The Spry Family,

Kim Lockard, Julie Kowalski, Steve Thode, Dale A. Coryell, Kay Smith, L Legge, Monte

Bordner, Lisa R. Imerman, Ted F. Beals, Harley Thomas, Gregory Holzman, MD, Dan

Grooms, DVM, PhD, Andy Salinas, Robert Linck, Ed Zimba, Pam Jaslove, Dan Buskirk, PhD,

Fred Ruggles, Jessica Feeman, Brian Becker, William Hendrian, Dorene Scott, Article by Mike

John entitled "Sometimes Government Gets it Right", "The National Animal Identification

System: Overview of the Alternatives", Article by Anne Keller entitled Voluntary with a Capital

"V": USDA Changes Course on Animal ID, Ernie and Melanie McNeese, comments of Lisa R.

Imerman on Mandatory Cattle ID Program January 8, 2007, Article by Bill Bullard entitled

"Where Does Your Food Come From?", Article by Judith McGeary entitled "Corporate control of

our food supply: The real impacts of the National Identification System", Article by Pat Coleby

entitled "Disease & Mineral Deficiency", Article from Acres U.S.A. entitled "Closing Down the

Small Farm", Article by Charles Walters entitled "The Mark of the Beast", Article by William G.

Winter, DVM, entitled "Bovine TB & Other Deadly Gifts", Andy J. Miller, Jacob Mast, Andy

Gingerich, Joe Miller, John Troyer, Daniel Stutzman, a Petition to Stop Animal ID Federal &

State and a list of individuals calling in on January 8, 2007 to oppose NAIS/RFID Operations.