

# Exhibit 1



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## Animal identification in Idaho

By **Cathy Roemer, For Lee Agri-Media**

Thursday, January 18, 2007 2:13 PM CST

TWIN FALLS, Idaho - Idaho's official unveiling of the National Animal Identification System was a federally funded \$11 million, six-state venture - the Northwest Pilot Project. Funds awarded to the NWPP board of directors in August 2004 brought Idaho, California, Nevada, Oregon, Utah, and Washington together in a test run for the U.S. Department of Agriculture's National Animal Identification System.

Rick Stott, NWPP chairman, said about 250 livestock producers participated but was uncertain how many were from Idaho. A project report will be released in December, he said.

Offering a brief preview, Stott said it will be "critically important for the livestock industry to manage this process." Secondly, animal identification "has to mirror the way we do commerce as much as possible," using group lot and/or individual identification.

Last, Stott said the electronic ID or radio frequency identification tags will be the most efficient.

"But the most important thing is that we all work together in the process," he said.

Making it work has been the USDA's tall task since NAIS was released to the public as a voluntary program that would be phased into a mandatory program. The first step was an open invitation for property owners to register their ranch, farm or acreage with the state and receive a premise identification number. The Idaho Department of Agriculture jump started its premise ID database when ISDA officials tapped into the state's brand database and summarily assigned ID numbers to brand owners.

Whether the state compromised the program's "voluntary" status, John Chatburn, ISDA animal industry division deputy administrator, did not say but reiterated that it continues to be voluntary and said, "We are offering many opportunities at meetings and events for people to register."

About 16,000 premises have been registered, including 100 percent of all Idaho dairies, he said.

Idaho Dairyman's Association President Mike Quesnell, said the dairy industry is prepared to be part of the comprehensive state and national program.

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That's not to say it hasn't been a bumpy road bringing government and livestock producers together.

"It's not as simple as buying a bunch of ear tags and a transponder," Quesnell said. "Getting industry to express themselves to government and come to a meeting place can be difficult. It's kind of like making sausage - the process isn't real pretty, but the end result is good."

Selling NAIS to Americans may prove to be a tougher job than in other countries like those in the European Union who already have the system in place. One reason is that the U.S. livestock industry is a free-enterprise system, Quesnell said. The European industry has had government regulations "built in" for quite some time, making it easier to incorporate mandatory animal identification.

Plus, the sheer number of animals in the United States make NAIS a "huge endeavor," he said.

But it may be a minor leap for dairymen who are accustomed to using computerized recordkeeping for herd management.

"Adding one more digit is not a huge hurdle for dairy farmers," Quesnell said.

Idaho Horse Council (IHC) office manager, Bud Sherrets, said the IHC board is encouraging its 1,800 members to register their premises. Board members have set the example by registering, he said.

But there have been dissenting voices in IHC's membership.

"We've had quite a bit for and against it," Sherrets said. "It's kind of the big brother thing of government intervention."

Sherrets said part of the negatives have been due to misunderstanding that horse owners will have to track and report uneventful pleasure riding.

"It is my understanding they don't have to report that," he said. "This (NAIS) is just for health purposes."

Sheep and pork - "Nobody ever likes change," said John Noh, Kimberly, Idaho, sheep producer, explaining why some livestock producers may resist the NAIS.

But change came five years ago for him when the sheep industry was required to track animals for scrapie, a disease sheep can be prone to.

Noh said he obtained a premise ID number at the time, and although he does not yet use RFID tags (too costly for him), he believes his system will integrate easily into a state and national database.

He admits incorporating a new system was not easy or real efficient at the start-up.

"In the beginning, the biggest hurdle was having to put one more ear tag in and the

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recordkeeping - just more things required on top of what we already do," he said. "But it's a lot easier now.

"It's a small step to take to reinforce that we do have the safest food supply in the world," Noh said.

Dave Roper, Kimberly pork producer, agrees that a 100-percent traceback system is "inevitable" to ensure food safety and consumer confidence.

"It's better than country-of-origin labeling that alienates us from the rest of the world," he said.

The pork industry has already conformed to NAIS, and it works well with data producers already keep track of like performance and carcass quality, Roper said. The lot identification best serves pork producers, as that is how hogs are marketed for the most part, he said.

Are Idaho pork producers on board with NAIS?

"Yes," Roper said. "Except for those producers who have under a hundred sows. They may not have a clue about the animal identification system."

NAIS opposition- Without a clue is one reason 4-H mom, Maria Brown, Burley, Idaho, says she is not hearing a lot of opposition in Idaho about NAIS.

Brown opposes the system based on "too much government" in peoples' lives and the high cost to producers like herself who raise only a few head of livestock.

"Either people are falling for it or there is just not an awareness of what it (NAIS) really is," she said.

Brown said she sees NAIS "propaganda" coming from all sides, including the 4-H program, companies who sell the RFID equipment and the university extension programs.

"It is another layer of regulation we can do without," she said. "Disease traceback can be accomplished with the brand system and health certificates - things that are already in place.

Brown also questions the value of RFID tags when it comes to tracing stolen livestock.

"They can be tampered with or removed - only a brand can identify the owner of a stolen animal," she said.

James Coleman, a Hazelton, Idaho, veterinarian, also believes brands and health certificates and bangs vaccination tags will suffice.

"If done properly those items can serve as a disease traceback," he said.

Coleman calls the whole electronic identification idea "futuristic" and wonders aloud: "How many more laws do we need?"

"It's only a matter of time before the voluntary becomes mandatory," he said. "It's

getting so you can't even cross the street without breaking a law."

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**Blaine** wrote on *Mar 23, 2007 10:30 PM*:

" I follow the Times News from Twin Falls closely. Why was there nothing printed in the area concerning this? Do you suppose someone don't want Idaho's public to know what's happening to their rights? Yes, I agree that too few Idahoans, let alone Idaho farmers, are really aware of what this will mean to them and what we all stand to lose as a nation! "

**granny miller** wrote on *Jan 22, 2007 12:33 PM*:

" Don't forget that a big part of NAIS is big business's and big money's shameless attempt to manipulate hog and cattle futures. Just ask Hillary Clinton - she's the Fairy Godmother of Commodity Scandals. If a "private/government data base" knows how many animals have been born or are preparing to go to market it is very easy to manipulate the price the farmer gets at sale time. Every 11th grader in this country has heard about the economics of Supply & Demand. The USDA must think the People of this Country are stupid. I for one am sick & tired of tax dollars being used to promote the centralization, monopolization and regulation of food in this country by big Agri Business, Special Interest and PAC's. NAIS has little to do with human and animal health or welfare and everything to do with small farmers losing the right to farm. <http://nelsonrun.blogspot.com/> "

**Reb** wrote on *Jan 21, 2007 5:22 PM*:

" Folks who need to know what NAIS is and how it will effect thei lives can check out [www.libertyark.org](http://www.libertyark.org) as well as [www.nonais.org](http://www.nonais.org) there are others that can be found most all offer good info on this govi/corp induced violation of personal liberty,educate yourselves,I did and now I understand whats going on. "

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# Exhibit 2

# Live from the Colorado Legislature

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**The *Rocky's* Capitol team covers the legislature. If it's cooking under the Dome, we'll tell you who's adding what and who's turning up the heat.**

**Have a tip?** E-mail our bloggers.

- [Alan Gathright](#) | [Chris Barge](#)

## **Lawmakers ride to rescue 4-H kids caught in State Fair beef**

Thursday, January 24 at 3:39 PM

State lawmakers rode to the rescue of kids like those kicked out of the Colorado State Fair last year after accusations they failed to obey a controversial new USDA livestock registration requirement.

In a 8-4 vote, the House agriculture committee advanced HB 1129, which would prohibit State Fair officials from imposing an animal-tracking program on livestock exhibitors, including young 4-H and Future Farmers of America competitors.

The issue stampeded into the Capitol because lawmakers were outraged after two youngsters were booted from the State Fair junior livestock sale for violating the new "premise identification" rule.

Large animal entries have declined over the years and this "NAIS" enforcement would promise to accelerate the reduction.

Bill co-sponsor Rep. Wes McKinley, D-Walsh, called the kids' disqualification "heavy-handed bullying government against the kids."

Last year the state fair board mandated contestants comply with the otherwise voluntary federal National Animal Identification System.

During a staggering five hours of testimony and debate, state agriculture and fair officials trotted out more than a dozen witnesses, including animal disease and homeland security experts.

They maintained the Premise ID information is critical to helping prevent livestock disease outbreaks – and protecting consumers -- by swiftly tracking and containing contagious critters.

But McKinley said Colorado USDA state officials are simply using 4-H kids to promote an unpopular, useless program that won't be able to track animals as projected. After all testimony, the NAIS program was found flawed and unnecessary as presented by USDA.

The 2007 Colorado State Fair was rocked with discord as federal NAIS enforcement attracted national attention. "We could not believe the fair would risk their historic reputation on this issue" said one exhibitor's parent.

"They're pushing their program by using these kids," he said.

McKinley said Colorado already has a tried-and-true tracking system: the more than 100-year-old brand inspection program and veterinary animal inspections.

"But there's big USDA money that goes into promoting this program, So, of course they don't want to lose their money." --Alan Gathright

# Exhibit 3





## STATE OF MONTANA PREMISES REGISTRATION SYSTEM

A Part of NAIS - National Animal Identification System

Administered by the Montana Department of Livestock

PO Box 202001, Helena, MT 59620-2001

Phone: 406-444-9321; Fax 406-444-4316

Web Site: <http://www.liv.mt.gov>

### VOLUNTARY Account Set Up and Premises Registration

1. For questions, contact the Department of Livestock at 406-444-9321
2. Return forms to Sherry Rust, PO Box 202001, Helena, MT 59620-2001

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#### Step One: Account Set Up

##### Business/Farm Ranch Account Information

This is the contact information for your livestock business entity. This may be different than the location where the animals are kept. The primary contact will be the first individual contacted for herd information.

Business Name: \_\_\_\_\_

Primary Contact Name: \_\_\_\_\_

Secondary Contact Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

County: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

##### Business Type: (check only one)

- |  |  |
|--|--|
| <input type="checkbox"/> Individual                      | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Partnership                     | <input type="checkbox"/> Limited Liability Corporation |
| <input type="checkbox"/> Incorporated                    | <input type="checkbox"/> Non-profit Organization       |
| <input type="checkbox"/> State/Federal Government Entity | <input type="checkbox"/> Tribal Entity                 |

##### Operation Type (check all that apply)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Farm/Ranch Production Unit | <input type="checkbox"/> Clinic        | <input type="checkbox"/> Slaughter Plant     |
| <input type="checkbox"/> Market/Collection Point    | <input type="checkbox"/> Exhibition    | <input type="checkbox"/> Rendering           |
| <input type="checkbox"/> Non-producer Participant   | <input type="checkbox"/> Laboratory    | <input type="checkbox"/> Quarantine Facility |
| <input type="checkbox"/> Tagging Site               | <input type="checkbox"/> Port of Entry |  |

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**PAGE 2 MUST BE COMPLETED TO OBTAIN A PREMISES NUMBER**

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**Step Two: Premises Registration**

**STEP TWO MUST BE COMPLETED TO OBTAIN A PREMISES NUMBER**

**Premises Information**

A premise is the location (facility or land) where animals are kept, managed, exhibited, or commingled. A premises identification number (PIN) will be linked to each location registered.

**Premises Name** \_\_\_\_\_

(Example: "home place" or "heifer place")

*Please specify the premises location and contact your local sheriff's office to verify 911 address.*

**Physical Address or 911 Address:** \_\_\_\_\_**City/State/Zip** \_\_\_\_\_**County:** \_\_\_\_\_

**Driving Directions:** (From nearest named intersection in miles and 1/10 miles. **Example:** At Hwy 89/Oak Rd junction go west on Oak Rd 2.3 miles, then north on Smith Rd 1.6 miles, then west on unnamed gravel road 0.5 miles to ranch gate on south side.) *Driving directions must be input to obtain a premises number.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Legal Description:** Township \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_  
(i.e. 7N or 7S) (i.e. 9E or (W) (i.e. 14)

**GPS Coordinates (decimal format):** Latitude \_\_\_\_\_ N Longitude \_\_\_\_\_ W  
GPS Coordinates were taken at  Ranch gate (preferred location)  Ranch/farm yard  House

**Premises Type: (check only one)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Farm/Ranch Production Unit | <input type="checkbox"/> Clinic        | <input type="checkbox"/> Slaughter Yard      |
| <input type="checkbox"/> Market/Collection Point    | <input type="checkbox"/> Exhibition    | <input type="checkbox"/> Rendering           |
| <input type="checkbox"/> Non-producer Participant   | <input type="checkbox"/> Laboratory    | <input type="checkbox"/> Quarantine Facility |
| <input type="checkbox"/> Tagging Site               | <input type="checkbox"/> Port of Entry |  |

**Domesticated Species at Premises: (check all that apply)**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Bovine (Cattle/Bison)  | <input type="checkbox"/> Ovine (Sheep)*           | <input type="checkbox"/> Camelid (Llama) |
| <input type="checkbox"/> Equine (Horses)  | <input type="checkbox"/> Caprine (Goats)*         | <input type="checkbox"/> Guineas         |
| <input type="checkbox"/> Porcine (Swine)  | <input type="checkbox"/> Cervids (Deer and Elk)** | <input type="checkbox"/> Aquaculture     |
| <input type="checkbox"/> Fowl (Chickens, Ducks, Emu, Geese, Pheasants, Quail, Ostrich, Turkeys) |   |  |

(Please circle the type(s) of fowl on your premises)

\* Flock ID Number(s) if applicable: \_\_\_\_\_

\*\* Alternative Livestock Number(s) if applicable: \_\_\_\_\_

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Your information will be kept confidential and will not be sold or given out. This information may be accessed by animal health officials for disease traceback and animal health surveillance purposes. Your signature verifies that you understand the above and that the information provided is true and accurate to the best of your knowledge.

Producer/Contact Signature \_\_\_\_\_

Date \_\_\_\_\_

# Exhibit 4

# AMS Business Plan to Advance National Animal Identification System (NAIS)

Initiative	Description	Action Items	Status
1 <b>Coordinate Agency Efforts Through USDA Process Verified Programs and Quality Management Systems</b>	Animal identification is a common requirement in many of the verification programs administered by USDA's AMS. Many producers participating in the USDA Process Verified Programs and USDA Quality System Assessment Programs currently have programs in place that verify the age of animals and provide traceability to place of birth. For livestock species, AMS "Program Compliant" ear tags may be chosen by producers to meet program requirements. Like NAIS Compliant AIN devices, an AMS "Program compliant" ear tag is a one-time use, tamper-evident tag, which contains a non-repeatable, unique number. APHIS and AMS will coordinate definitions of identification requirements to provide compliant solutions for both agencies. AMS will actively encourage the use of NAIS premise registration as the means to establish where livestock and poultry are born and managed.	2008--Poultry Programs will include an NAIS recommendation in each new application for applicable PVPs that encourage flock identification and control. Livestock and Seed Program will provide information to all current and new applicants for PVPs and QSA Programs, actively encouraging programs to use premise registration and 840 tags for source and animal ID.	Poultry Programs included a recommendation for NAIS in their PVP applications. Livestock and Seed Program continues to provide information to all applicants and to encourage them to use premise registration and 840 tags for source and animal ID.
2 <b>Work with AMS Audit Based Programs for Animal Industry to Promote Use of NAIS Premise ID and Animal ID</b>	Provide all current and prospective animal industry clients of AMS audit based programs information on NAIS, including a training seminar for current clients.	January 2008--Poultry Programs will provide NAIS information at the United Egg Producers Animal Welfare Committee meeting and encourage them to adopt the premise registration provision into their animal welfare guidelines.  2008--During normal onsite audits, Livestock and Seed Program auditors will provide the client with a brief overview of how NAIS can be used to meet PVP and QSA requirements.	In January 2008, Poultry Programs provided NAIS information to the United Egg Producers Animal Welfare Committee meeting and encouraged them to adopt the premise registration provision into their animal welfare guidelines.
3 <b>Designate Approved Cattle Feedlots as NAIS Premise ID-Verified</b>	Develop an AMS audit based program for cattle feedlots that are NAIS premise registered with designation and listing as a member of the "National Disease Response Network" and as having a "USDA QSA Verified Premise ID."	2008--Develop and implement the requirements for designated PVP and QSA programs as "National Disease Response Network" partners. Fully implement by June 2008.	
4 <b>Utilize Research and Promotion Boards</b>	The Beef, Dairy, Egg, and Pork Research and Promotion Boards offer an opportunity to advance NAIS. AMS staff attends all research and promotion board meetings and will aggressively educate and inform the Boards regarding NAIS and will facilitate the Board's further promotion of NAIS to producers. Many of the Boards have affiliated State checkoff organizations that provide a critical link to beef, pork, poultry and swine producers. AMS staff and the national checkoff Boards will educate and inform the State checkoff organizations and ensure that the State boards implement plans to facilitate NAIS within their States.	March 2008--AMS staff will discuss NAIS at the American Egg Board's meeting. AMS staff will provide NAIS information to the American Egg Board for inclusion in its newsletter to all egg producers.  2008--AMS will provide letters from the Under Secretary to each Secretary-appointed research and promotion board member to encourage the use of NAIS and premise registration.	In March 2008, AMS provided over 1,000 letters from the Under Secretary to each Secretary-appointed research and promotion board member to encourage the use of NAIS and premise registration.
5 <b>Partner with Industry Associations</b>	AMS will partner with the National Chicken Council, the National Turkey Federation and the United Egg Producers to distribute NAIS educational information for distribution to growers to encourage NAIS premise registration.	January 2008--AMS will provide industry partners with NAIS brochures that will be distributed to all of their members.	In January 2008, AMS distributed NAIS brochures to the various poultry trade associations, which were then distributed to their membership.
6 <b>Utilize AMS Web Site</b>	AMS currently partners with APHIS to provide NAIS program information to those that visit the AMS web site. AMS includes a direct link to the NAIS web site, encouraging producers and companies seeking information relating to the tracking of animals to visit the NAIS web site directly.	2008 - AMS will post on its web site the AMS Business Plan to Advance NAIS and a link to the NAIS APHIS web site promoting the use of NAIS for quality system verification programs that involve the tracking of animals.	In January 2008, AMS provided the link to the APHIS NAIS web site. In March 2008, AMS posted the AMS Business Plan to Advance NAIS.

## AMS Business Plan to Advance National Animal Identification System (NAIS)

Initiative	Description	Action Items	Status	
7	<b>Cooperate with National Organic Program (NOP)</b>	The National Organic Standards Board (NOSB) is composed of 15 members appointed by the Secretary to provide guidance to USDA on substances used in organic production and on other aspects of the NOP. AMS will contact NOSB members that are livestock producers or have strong ties to the livestock community (e.g., one veterinarian on the Board) to discuss NAIS ahead of the upcoming fall NOSB meeting and develop a strategy for approaching the full NOSB. AMS will make a presentation at the upcoming NOSB meeting, Nov. 27-29, on the importance of NAIS and the ease of premise registration. AMS will educate the 50+ NOP certifying agents regarding NAIS and encourage them to facilitate premise registration of organic cattle and dairy operations. AMS will work with NOSB to determine if there are effective financial incentives that could be offered to encourage organic livestock producers to use NAIS.	November 2007--Deputy Under Secretary Burton Eller and Deputy Administrator Barbara Robinson addressed the NOSB Board.	
8	<b>Establish Premise ID for All Animal Industry Facilities Receiving AMS Grading Services</b>	AMS will engage all animal industry facilities receiving AMS grading services to encourage and effectuate premise registration of the establishments.	2008--Poultry Programs will meet with management for each official plant and provide information pertaining to the NAIS program. Livestock and Seed Program will designate a lead contact to manage a team that meets with grading customers where animal ID is possible, such as Tyson Beef, Poultry, and Pork (this requires commodity Program collaboration). LS will assist plants to implement NAIS through existing systems to transfer live animal ID to carcasses.	During the first quarter of 2008, Poultry Programs grading employees met with management from nearly all official plants and provided information on NAIS.
9	<b>Promote NAIS Premise Registration Through AMS Milk Market Administrators</b>	AMS will communicate and promote NAIS through Market Administrators for the Federal Milk Marketing Order (FMMO) Program. AMS Milk Market Administrators will distribute information through monthly bulletins to all FMMO producers who are not members of a dairy cooperative, to FMMO dairy cooperatives with encouragement to distribute it to their membership, and to FMMO proprietary fluid milk processors and dairy manufacturing plants with encouragement to distribute it to producers delivering to their plants. AMS also will include a logo or message in monthly bulletins and other communications with FMMO producers to promote NAIS.		
10	<b>Promote NAIS through AMS Staff</b>	AMS has staff located around the country, and many are personally involved in livestock and poultry production. On October 3, 2007, Administrator Day provided to all AMS employees a letter promoting NAIS and encouraged staff to take the lead and register their premise with NAIS. AMS will continue to use every opportunity to vigorously promote NAIS to AMS staff who will serve as leaders by example in communities across the United States.	2008--Poultry Programs will add information pertaining to the NAIS program to the agenda for each training session scheduled for 2008 to better prepare staff to promote the program.	
11	<b>Coordinate through Country Of Origin Labeling</b>	Because of pending changes to the COOL statutory requirements, the compliance requirements for COOL are still uncertain. Current COOL statutory requirements mandate that AMS conduct compliance activities at slaughter facilities. If these provisions remain intact and are implemented by regulation, AMS could inform slaughter facilities that AMS will accept NAIS 840 compliant ear tags as documentation that the animals were born and raised in the United States so that it can be labeled properly when presented for sale at U.S. grocery stores.	Contingent upon the publication of a Final Rule implementing COOL for meat and poultry products, AMS and APHIS will coordinate efforts to develop a COOL "safe harbor" for NAIS participants. Packers that rely upon NAIS to determine the origin of their livestock and poultry will subsequently be recognized by USDA as demonstrating compliance with the COOL program's recordkeeping requirements.	AMS and APHIS continue to collaborate in an effort to ensure the necessary regulatory and policy controls are in place to create a COOL safe harbor for NAIS participants.
12	<b>Engage Breed Associations</b>	AMS will work with and encourage breed associations to use NAIS compliant ear tags in promotional photographs of live animals.	2008--Begin work with the American Angus Association and the Red Angus Association to include USDA 840 tags in their promotional materials.	