

## What is (or was) NAIS?

By Karen Nowak © February 2010

The issue of national equine ID has been discussed between animal health officials since at least 1987 but did not involve any organization representing the actual horse owning public until 2002. In early 2002, Dr. Timothy Cordes from the United States Dept of Agriculture (USDA), Veterinary Services Division, announced that an Equine ID Symposium was scheduled for July 2002. To their credit, upon hearing this announcement, the American Horse Council (AHC) decided the Horse Industry MUST be involved in this symposium. It is still unclear who and how many of the equine related and breed organizations were notified of this pending symposium, but an attempt was made to have representatives of at least some of these organizations present.

The NAIS, or National Animal Identification System, as designed had 3 components: 1) premises ID (where livestock were located), 2) animal identification utilizing a 15-digit internationally recognized numbering system and 3) tracking the movements of livestock. This data would have been housed in centralized national databases maintained by the USDA. For horses, the means of identification would be an implantable microchip. Movements of horses would be tracked by the means of a hand-held scanner which would send the data electronically to the tracking database.

The following people/organizations made position statements regarding their stance on a national Equine ID program at this symposium: Amy Mann – American Horse Council, Dr. Tom Lenz – American Association of Equine Practitioners, Dr. Cheryl Frank – USA Equestrian (now known as the US Equestrian Federation), Ward Stutz – American Quarter Horse Association, Buddy Bishop and Rick Bailey – The Jockey Club, Bob Luehrman – United States Trotting Association, Jim Garrison – Arabian Horse Registry of America, Lili Thomas – BLM Wild Horse & Burro Program, Dr. Mary Giddens – Dutch Warmblood Studbook in North America, Jim Kelley - American Paint Horse Association, Tom Pettry – American Saddlebred Horse Association, Paul Berube and Jim Gowen - Thoroughbred Racing Protective Bureau

A total of 48 issues were identified that would need to be resolved with respect to a national Equine ID Program. Aside from the obvious issues of cost, database control, confidentiality and incentives for horse owners/organizations was a clear intent that a campaign would need to be undertaken to educate the horse owning public about the program and that a feasibility study should be done. As I read through the twelve-page summary of the results of the discussion by the actual equine organization representatives, I realized they were right on track. At the end of the symposium, Glenn Slack, then President and CEO of the National Institute for Animal Agriculture (NIAA), the organization who spearheaded the creation of NAIS, asked the Equine Industry representatives the following question: “Is Equine ID something that needs to be discussed beyond this meeting today?” Seven of the twelve participants voted yes and five voted no.

In November 2002, the NIAA established the Equine ID Subcommittee as part of the existing Animal ID and Information Systems Committee. Amy Mann of the AHC was appointed chair and J Amelita Facchiano, then Marketing Director for GlobalVetLink LLC, was appointed the co-chair. It was disheartening to read that a full 50% of the committee members represented companies who sell animal ID and/or tracking software while only ONE equine breed registry and only ONE equine association were represented. Of the remaining seven members, two represented the dairy industry (who already participates in an ID program) and the remaining five members were animal health officials, who clearly indicated a desire for a national Equine ID program. The question that begs an answer is “Was this initial effort spearheaded by those who stood to gain financially if such a system were put in place?” Clearly, the needs and concerns of the equine industry as a whole were not fairly represented by this committee!

Jim Gowen of the Thoroughbred Racing Protective Bureau (TRPB) summed up best what happened over the next year. The following is a direct quote from the AHC October 2003 Press Release:

“I will take the opposing view on national ID,” said Gowen. He noted that the TRPB has participated in conferences and discussions regarding this broad area for over a year and has heard from some federal and state officials that the system is supported by ‘the horse industry.’ The term has been used regularly by supporters, ‘but too loosely given the breadth of those involved in the industry, the different types and uses of horses. Who is calling for and promoting this idea? ***It seems to us that at this point it is being pushed by an ad hoc group of individuals with equine business interests who can hardly be called representatives of the industry***,’ he suggested. ‘In short, we see no compelling reason for a national ID system for horses. We see no reason to expend further energies on this issue. But we realize that others

have a different view. For this reason, we believe that any continuing discussions should be within the horse industry itself. Once this is done, a clearer picture may emerge as to how important National ID actually is,' Gowen concluded."

The American Horse Council issued a second press release on the same date titled "AHC to Organize Task Force on National ID System for Horses". It states, "Although there was no consensus reached on the need for a national ID system, there was agreement that the AHC should organize an Equine Identification Task Force to continue to inform, involve and educate the industry about the issues surrounding the potential of a national identification system for horses with the goal of arriving at some consensus." The task force was organized, yet where were the announcements to "the horse industry"?

This group met with then-USDA Secretary Ann Veneman, who stated that, "**many of the comments that the USDA had received from horse owners on the national animal identification plan indicated a misunderstanding as to what was being proposed.**" I was stunned when I read this for who knew the USDA was soliciting comments from horse owners in **2004!** At that time, I subscribed to no less than 5 national horse magazines and 2 farming publications and not once did I read anything about horses and NAIS! It is more than apparent that the only individuals who were aware of NAIS, much less how far it had progressed, were select members of the American Horse Council.

In August 2004, the American Horse Council's Equine ID Task Force became the USDA Equine Species Working Group (ESWG). In December of 2004, the ESWG submitted their first set of **16 recommendations** to the USDA regarding the inclusion of horses in the NAIS. Again, where were the announcements to "the horse industry"?

On May 6, 2005, the USDA published the NAIS Draft Strategic Plan and Draft Program Standards in the Federal Register. Key milestones:

- July 2005: All States capable of premises registration.
- July 2005: Animal Identification Number system operational.
- April 2007: Premises registration and animal identification "alerts".
- January 2008: Premises registration and animal identification required.
- **January 2009:** Reporting of defined animal movements required; **entire program mandatory.**

How many of us horse owners knew? A review of the comments submitted to the Federal Register revealed that, of 100 comments received, only ONE horse owner responded outside of the AHC. Not ONE horse breed registry or organization commented. How could this be, given the January 2009 deadline for this program to become **mandatory**? Could be because the ONLY place this information was published was on the AHC website? That would appear to be the case.

Just what were those "defined animal movements" that pertained to horses? "When horses are transported interstate, intrastate when commingled with other horses or livestock, or to premises or events where a Certificate of Veterinary Inspection (CVI) or other equine health papers such as Coggins are required, the movement must be reported to the appropriate USDA NAIS database(s)." It is hard to believe that a program this intrusive and potentially this costly was NEVER communicated to the horse owning public!

By late 2005, a small number of us became aware of this program thanks to an article by attorney and small farm owner Mary Zanoni, published in one of the small farm journals. We investigated and to our horror discovered that horses were included. We began sharing with other horse owners via the internet. The more we investigated and discovered about what this program would actually entail, the more outraged we became. Many of us wrote letters to the USDA and the AHC expressing our concerns. Those concerns were met with absolute silence. By the middle of 2006, the opposition was growing with numerous livestock and farming groups taking a strong stand.

In November of 2006, amid rising opposition, the USDA backed off and stated NAIS would now be "**voluntary at the federal level**". Those were key words because, behind the scenes, they continued to funnel grant money to the individual states via Cooperative Agreements to implement NAIS at the state level. Premises were still being registered, with and without the owner's knowledge and consent. The following year they pushed even harder by tying the amount

each state would receive to the number of premises registered. No-NAIS activists continued to monitor NAIS closely at both the state and federal level.

In 2007, we learned that the test used for piroplasmiasis at our import centers was known to produce a number of false negatives. The US Animal Health Association expressed concern that the disease may have been imported into this country. This sequence of events is most interesting. It was long known that the CFT (complement fixation test) produced false negatives. In addition, unscrupulous exporters could increase the chances of false negatives by administering immunosuppressant drugs to horses prior to export to the US. In early 2004, the USDA unveiled a new test for piroplasmiasis – the competitive enzyme-linked immunosorbent assay (CELISA). Once the CELISA was taken out of the experimental testing phase and used in routine testing for piroplasmiasis, horses testing negative prior to importation were testing positive upon post-entry screening in the United States. In November 2004, the USDA discontinued using the CELISA and went back to the CFT! No explanation was ever given as to why this change was made back to a test that had proven to be unreliable! It is also unknown exactly when the USDA returned to using the CELISA test but presumably, it was in the fall of 2009, AFTER 2 outbreaks of piroplasmiasis were documented, both of which were tied to horses imported from Mexico. The state veterinarians dealing with these outbreaks began insisting that “NAIS was necessary to prevent such diseases from spreading”. The same claim was made again after the outbreak of CEM in 2008-2009, which again was tied to an imported horse. NAIS will NOT prevent diseases from spreading. NAIS is an “after the fact” traceback system for horses that have already been exposed!

In September 2008, the USDA released the “NAIS Business Plan”. While still claiming to be “voluntary”, the document states “USDA recommends that animals be officially identified if they are moved from their current premises to other commercial production locations, auctions/markets, feedlots, or any location where the commingling of animals from multiple premises takes place”, complete with very aggressive implementation dates. It was more than clear the USDA was planning to utilize disease programs to implement a mandatory NAIS. Tier One was top priority for animal identification. The following statement was made about horses: “Additionally, horses that, when moved, require either a test for equine infectious anemia or a health certificate, are also included in Tier 1.” This document clearly states that they intended to persuade breed registries and/or the USEF to utilize the NAIS ID numbers for registration of horses/identifying show horses. Even more ominous is this statement: **“Efforts are underway to develop a USDA national State-Federal cooperative program for the control of EIA that would establish national EIA testing requirements for (a) interstate movement and (b) change of ownership.”** NAIS premises ID numbers would eventually be required for coggins testing and CVI’s if this is implemented as a federal regulation.

The roar from the opposition groups could be heard across the country! The USDA tried to stifle the opposition by proclaiming us “confused” and “misinformed”. Who was confused and misinformed? We could read and the implications were quite clear! To further our “cause”, in December 2008, a USDA memo was leaked, dated September 22, 2008, directing State Veterinarians to implement the use of NAIS premises ID numbers for Federal disease control programs. Once this memo hit the news, the USDA “cancelled” it on December 22, 2008, with more than a bit of egg on their faces after proclaiming so loudly that: 1) NAIS was “Voluntary with a capital V at the federal level” and 2) those of us who claimed otherwise were “confused” and “misinformed”.

In March of 2009, 72 livestock, farming and consumer groups sent a letter to new USDA Secretary Vilsack requesting that the NAIS program be eliminated. In the summer of 2009, Vilsack scheduled NAIS “listening sessions” across the country. Five years worth of pent up anger and frustration were clearly presented by representatives from all the major species groups covered under NAIS.

NAIS is not likely to “go quietly” because, from 2002 to 2010, Congress authorized \$144,500,000 for the implementation of NAIS. Instead, the USDA has changed its name to “Animal Disease Traceability”, which is covered in the 2<sup>nd</sup> part of this series. The USDA’s most recent publication states “The intent of the new approach is to: Help overcome some of the mistrust caused by NAIS.” Mistrust indeed! The same may be said of the American Horse Council.

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