



The 2024 Cattle Traceability Rule: Frequently Asked Questions ***For Livestock Markets***

If you are looking for a general overview of the 2024 ADT rule, please start with “FAQs for Producers.” This document is intended to provide guidance and information on the updated regulations. It is not legal advice. Please consult your own counsel before making business and marketing decisions.

ARE MARKETS REQUIRED TO TAG CATTLE AT THEIR FACILITY?

No. There is nothing in the 2024 animal disease traceability (ADT) rule that obligates markets to tag classes of cattle covered by the rule. Markets are not required to become approved tagging sites; that is entirely optional. Tagging can be done directly by producers on the farm/ranch.

ARE MARKETS ALLOWED TO TAG CATTLE AT THEIR FACILITY?

Yes. Markets are allowed to become approved tagging sites. If a market worked with their state animal health official to become an approved tagging site, that market would then be allowed to apply EID tags to cattle if/when producers send those animals through the ring without the required official animal identification. Producers should be aware that that service will almost certainly incur an extra fee from the market.

ARE MARKETS REQUIRED TO HAVE A READER FOR EID TAGS?

No. Markets are not obligated to have readers or related infrastructure. There is nothing in the 2024 rule that establishes requirements for *readers*, only *tags*. This rule is only concerned with animal disease traceability and the relevant federal authority, USDA's Animal and Plant Health Inspection Service (APHIS), already has all the readers they would need to respond to an outbreak. Making sure there's a reader in every livestock market in the country is not necessary from APHIS's point of view and what they are trying to achieve with this rule.

WHAT DO I DO IF CATTLE SHOW UP AT MY MARKET WITHOUT EID TAGS?

There are a few potential scenarios here:

- If the cattle aren't subject to the ADT rule, then nothing has changed. Proceed as normal. Remember: feeder cattle are not subject to this rule, and cattle who are moving inside the state are not subject to this rule. The ADT rule only applies to classes of cattle (intact, 18+ months, and dairy/rodeo/show/exhibition animals) that **crossed a state line to arrive at your market**. If a load of cattle arrives at your market from another location **in your state**, then no interstate movement has

occurred yet and it's not a problem that they have no tag yet – even if they might meet the other criteria.

- If the cattle are covered under the rule and arrive at your market without EID tags and your market is an **approved tagging site**, you can unload them. More on approved tagging sites below.
- If the cattle are covered under the rule and arrive at your market without EID tags and your market is **not an approved tagging site**, the producer needs to have them tagged prior to unloading and comingling.

Cattle that are covered by the rule and moving interstate must have official animal identification applied before they ship across state lines. This is no different than the current requirements for ICVIs or an alternate movement document. So regardless of how they arrived at your market, cattle covered under this rule need to be tagged by the producer or by the market before they ship across state lines. Again, to be clear, there is nothing in this rule that dictates what kinds of cattle a market is allowed to receive, consign, or sell – but as producers and shippers comply with the requirement for official animal ID for interstate movement, there might be a role that markets choose to play when it comes to applying EID tags.

WHAT'S AN APPROVED TAGGING SITE?

An approved tagging site is a location that has been authorized by APHIS, State, or Tribal animal health officials to receive livestock moved interstate that don't have official animal identification yet and apply a form of official animal identification on behalf of the livestock owner or the person in possession, care, or control of the animals when they are brought to the tagging site. Cattle covered by the rule **may move interstate without EID tags if they are going directly to an approved tagging site** for the application of official identification. Directly means direct – no detours, comingling, etc. Those cattle must be tagged before they are comingled with animals from other premises, or identified by another means that will **accurately** maintain the animals' identity until tagging can be completed. Example scenario: cattle are unloaded at a market that's an approved tagging site, the market applies backtags, comingles the animals, and then applies EID tags a few hours later when the labor is available to do so. This ensures that the official identification numbers correlate to the owner of the animals (or person responsible) when the animals are shipped to the tagging site. The requirements to become an approved tagging site vary by State/Tribe. To find out how to become one, please contact your state animal health official.

ARE THERE ANY OTHER RECORDS I HAVE TO KEEP AS AN APPROVED TAGGING SITE?

States and Tribes can authorize approved tagging sites, and they might choose to require additional recordkeeping. Please consult the relevant authority in your state.

MY MARKET IS A SECONDARY TAGGING SITE FOR A PROCESS VERIFIED PROGRAM. DOES THIS MEAN I'M ALSO AN APPROVED TAGGING SITE?

No. USDA-AMS' Process Verified Programs are completely distinct from USDA-APHIS' animal disease traceability program. While EID tags and traceability may play a role in some PVPs, that system does not substitute, replace, or negate the need to comply with the 2024 ADT rule. Regardless of participation in a PVP as a Secondary Tagging Site, a market to be authorized by a state, tribal, or federal animal health official to be an approved tagging site.

I'M GOING TO TAG CATTLE AT MY MARKET. WHAT DO I NEED TO DO?

Please contact your state animal health official for guidance on becoming an approved tagging site. Then, ask your state vet/SAHO about the availability of free EID tags. (More on that below.) Note: your market may be an **approved livestock facility**, but not all approved livestock facilities are automatically approved tagging sites. These are two different labels. Approved livestock facilities are any stockyard, market, sale barn, or other livestock gathering point that is under state or federal veterinary inspection and approval. The designation of an approved tagging site is more specific to official animal identification requirements. An approved tagging site is any premises that has been authorized by APHIS, State, or Tribal animal health officials to receive livestock that don't have official animal identification yet and apply a form of official animal identification on behalf of the livestock owner.

IF I'M TAGGING CATTLE, DO I NEED A PANEL AND/OR WAND READER(S)?

No. The 2024 rule does not impose any requirements on industry to have readers or related infrastructure. It only addresses tags.

HOW MUCH DO EID TAGS COST?

The average cost of an 840 EID tag is \$3/head.

IS IT POSSIBLE TO GET EID TAGS AT NO COST?

Yes. Purchasing tags from the manufacturer is always an option but entities acting as AIN Device Managers and distributing tags to producers, as well as entities acting as approved tagging sites, can request free EID tags from their state veterinarian. State veterinarians request and receive an allotment of EID tags for free from APHIS each year. This has been happening since 2020. The maximum number of tags a state can request from the federal government is based on their proportional share of the national cattle herd according to the 2022 agricultural census conducted by USDA's National Agricultural Statistics Service (NASS).

MY STATE VET SAYS THEY ARE OUT OF TAGS.

Some follow-up questions to ask:

- a) Did our state request its full allotment of EID tags this year from APHIS?

- b) Has our state already received that full allotted number, or are we expecting any additional shipments this year?
- c) If our state ordered and received all the tags we are entitled to from APHIS, have we explored any options to buy direct from a tag manufacturer?
- d) If our state ordered and received all the tags we are entitled to from APHIS, have we reached out to device distributors in the state (ex. accredited vets) who might've received a batch of tags earlier this year to see if there is any extra wiggle room in the inventory of tags currently in circulation?

HOW MUCH DO READERS COST?

Readers vary much more widely; panels can cost \$800-\$1,500 and wands can cost \$300-\$2,000, depending on their capabilities. Note: there is specialized software available for organizing EID tag numbers and any additional data you're collecting on each animal, but that software is not required to use this technology. There are free and low-cost apps that accomplish the same goal and across the country, people can and do use Excel spreadsheets as well.

IS ASSISTANCE AVAILABLE FOR READERS?

Short answer: no, currently there is no direct cost-sharing for readers. Long answer: NCBA secured \$15 million in the Consolidated Appropriations Act of 2024 to direct APHIS to “provide...electronic identification tags and related infrastructure needed for stakeholders to comply with the proposed rule.” We are also advocating for an additional \$15 million in the FY25 Agriculture-FDA Appropriations Act. The language in the bill is directive but not prescriptive – it does not dictate to APHIS how much of the \$15 million to spend on tags and how much to spend on readers. **Because the 2024 rule changes the requirements regarding tags but doesn't impose any requirements on industry regarding readers, APHIS's first priority for that money has been going to be tags.** NCBA is working to secure language in the FY25 appropriations bill that once again directs APHIS to spend \$15 million on tags and related infrastructure to help people comply with this rule. We have not yet gotten that across the finish line because Congress has yet to pass a FY25 budget. We also do not know what portion of the \$15 million will be spent on tags vs. readers, because that is left up to the agency's discretion. All of that said, we have made the agency aware of the industry's concern about lack of readers, and will work to ensure that some of the funding next year goes toward that purpose.

CAN I JUST DISTRIBUTE EID TAGS TO PRODUCERS WITHOUT TAGGING CATTLE AT THE MARKET?

If a market wants to distribute EID tags to producers (either tags they purchased, or free tags they received from their state) there are several steps they must complete. These requirements are not unique to livestock markets; they apply to any state cattle group, accredited vet, or other stakeholder entity that wants to hand out tags to producers.

- First, register for a premise identification number (PIN) or location identifier (LID). Both PIN and LID registrations are administered by states. To obtain a PIN or LID, [click here to locate SAHO information for your state](#).
- Second, register as an AIN Device Manager [Click here to read through a guide by APHIS on how to become an AIN Device Manager](#).
- Third, keep accurate records. Device Managers must ensure that a producer receiving tags has an accurate PIN or LID; keep records of which tags are being distributed and to whom; keep records of any tags that have been returned/unused; and submit all records to the federal AIMS database within 24 hours. Device Managers are required to retain these records for a period of five years and make the information available to APHIS in the event of an animal disease investigation.

MY MARKET DOESN'T ACTUALLY CONSIGN CATTLE, I PURCHASE THEM OUTRIGHT AND THEN RESELL. DOES THAT CHANGE ANYTHING?

Yes. If your market doesn't consign cattle on behalf of the producer but rather purchases them outright and then sells them on, you are the owner of those cattle at the time of shipping. You are now responsible for making sure those cattle have the proper official animal identification before they ship interstate.

IF CATTLE ARE TAGGED AT MY MARKET AND LATER FLAGGED FOR A DISEASE OR FOOD SAFETY ISSUE, WILL I BE LIABLE?

Let's walk through that; your market is an approved tagging site, and you're applying EID tags to cattle covered under this rule. If cattle are moved interstate directly to your market and aren't tagged yet, you will either apply backtags and EID tag them later, or EID tag them right away. If the cattle arrive already tagged, you're not taking any extra steps. But in all three cases, and in fact in **any** case where cattle are moving interstate, they are also accompanied by an **interstate certificate of veterinary inspection (ICVI)** or alternate movement document – no matter what form of official animal ID you're using. So in all cases, whether the cattle were EID tagged at your market or before they arrived, the ICVI would link those animals to the physical address of their home farm or ranch and treat that as the originating premises – **not your market**. If an animal was flagged elsewhere in the supply chain for a disease or food safety issue, APHIS would trace it back to your market and then refer to your records to determine which premises ID correlates to the AIN number on the tag. Whether that tag was applied at the market or on the farm/ranch, either way, the premises ID will lead APHIS back to the original farm/ranch. If cattle from multiple premises were comingled at your market on the day in question, your records might lead APHIS to more than one farm/ranch, but they would still be looking for the originating premises – they wouldn't stop looking at your market. To be clear, this is not new or unique to EIDs; comingling has always been the major risk factor, from a disease standpoint, that markets take on when they receive cattle from multiple consignors.

I DON'T KNOW WHAT'S GOING TO HAPPEN IN EVERY SALE – HOW DO I KNOW IF CATTLE ARE GOING TO MOVE INTERSTATE OR NOT?

Again, if you are consigning cattle, you are not responsible for the application of EID tags – so there is nothing in this rule that would require you to know in advance where every pot of cattle will end up. If you are buying cattle and then reselling them, you should be prepared to tag animals if they are covered under the rule AND they are going to move across state lines.

CATTLE GO DIRECTLY TO SLAUGHTER FROM MY MARKET. DO THEY NEED EID TAGS?

This part of the regulations has been modified by the 2024 rule, but only partially. Under the 2013 regulations, covered cattle could move from Point A to an approved livestock market and then to slaughter, or move directly from Point A to slaughter, with approved backtags only – no official animal identification. That is still the case under the 2024 rule. The old regulations did not address the possibility of cattle that moved under this exception being held at the plant for 3 or fewer days and then leaving the plant, thus becoming untraceable animals in some other part of the supply chain. The 2024 rule addresses this by specifying that cattle are only allowed to leave slaughter plants with a permit (ex. a VS Form 1-27) completed by officials or FSIS public health veterinarians at the plant. If the animals crossed a state line on the exception granted for slaughter, and then leave that plant to go somewhere other than another slaughter plant, then they need to meet all requirements (identification, documentation, etc.) of the state of entry prior to leaving. The goal here on APHIS's part is to keep animals who have already reached the end of the process to stay within the pipeline for slaughter; not be resold to a buyer at another point in the supply chain, and thus potentially becoming untraceable animals.

WE AREN'T OPEN EVERY DAY OF THE WEEK. WILL THIS BE A PROBLEM?

Markets that only operate one day or a couple of days per week should be aware of two deadlines: if you are an AIN Device Manager and are distributing tags to producers, you are required to enter the appropriate information into the AIMS database immediately upon distribution, or within 24 hours. If APHIS requests information from you during an animal disease traceback, you are required to provide the requested information within 48 hours.

HOW SENSITIVE ARE THE READERS? WILL I BE ABLE TO READ TAGS ON EVERY ANIMAL IN A PEN OR ON A SCALE?

Low frequency tags are readable at a range of 4-12 inches. Ultra-high frequency tags are readable up to about 30 feet. Most 840 tags are LF, but there are some UHF ones on the market.

In 2016, USDA published a report based on cattle industry participants' use of ultra-high frequency RFID tags and readers in 9 states. The feedback given in that report, based on market owners' and producers' experiences, is that stationary readers *can* have up to 100% readability when the equipment is installed in the right location and cattle are not bunched

up while being read. Having a “line of sight” from the reader to each animal is important. So, to achieve maximum readability with the least amount of trouble, you would want to figure out where in your facility cattle are likely to be the most spread out – potentially during loading or unloading – and install the reader there. To read more, click here: <https://www.aphis.usda.gov/sites/default/files/uhrf-id-demo-pro-summary-st-rpt.pdf>

HOW WILL THE RULE BE ENFORCED? IS APHIS GOING TO SCARE PRODUCERS AWAY FROM MY MARKET?

Enforcement of official animal ID requirements will be the same as it has been for the last 11 years. Accredited veterinarians who are responsible for producing interstate certificates of veterinary inspection (ICVIs) and alternative movement documents – meaning, they are putting eyes on cattle moving interstate who may be covered by the 2024 EID rule – are **required** to follow all animal disease traceability regulations, whether they are working *at* a livestock market, working *for* a livestock market, or have nothing to do with a market at all. The fact that you have an accredited veterinarian on the premises does **not** mean that cattle going through the ring are being scrutinized by APHIS in any special way.

WHAT WILL MY ROLE BE IN ANY FUTURE INVESTIGATION? AM I INVADING MY CUSTOMERS' PRIVACY?

The role that markets play in tracebacks is not changing under the 2024 rule. In the course of an investigation, you may be asked by APHIS to provide records and information on specific animals – same as you would have been before the rule. Just like before the 2024 rule, you are required to comply with those requests and keep accurate records as required by state and federal regulations. Being a responsible and transparent actor in the animal disease traceability system does not make you complicit in any kind of invasion of privacy for your customers, and does not mean that you are doing anything wrong – it simply means that you take the threat of a foreign animal disease outbreak seriously and you are complying with federal law.

REGULATIONS LIKE THIS ARE FORCING LIVESTOCK MARKETS OUT OF BUSINESS.

The cattle industry has evolved rapidly in recent years and it'll keep on changing. That change has forced every industry participant – seedstock producers, cow-calf ranchers, stockers and backgrounders, feeders, and processors – to adapt, not just livestock markets. When the 2013 animal disease traceability rule was implemented, there were 703 active APHIS-approved livestock markets. Today, there are about 1,310. A stop-movement order during an FMD outbreak that prevents cattle from going through the ring for anywhere from 72 hours to several weeks or even months is a concrete, urgent threat to livestock markets. The industry needs a system that can rapidly and effectively indicate which herds are potentially infected and, just as crucially, which herds are totally safe to move, so we can get back to business during an outbreak.