

National Animal Identification System (NAIS): Part 2: U.S. Premises Identification – Farmers & Ranchers Beware

By Bruno Schmidt
© 2006 by Schmidt Publications

Anyone who looks as closely at the NAIS as I have must admit that “Animal Identification” is secondary. Secondary to what? Secondary to “Premises Identification”. While animal identification draws a great deal of attention, and a lot of arguments from both NAIS “advocates” (Federal and State officials, special interests, large-scale livestock operations) and NAIS “opponents” (small farmers and ranchers, non-commercial owners of livestock, activists), the tagging of animals is NOT where the main NAIS action is, at least not initially.

Let me explain. NAIS-compliant, “official”, animal tags can only be purchased from federally-licensed providers (i.e. tag-resellers or –distributors). These providers are under Federal contract to demand that you give them your “U.S. Premises Identification Number” and then verify, by way of accessing the NAIS computer, that the number you provided is in fact a bona fide NAIS-number – no number, no tags. Therefore, obtaining that new “U.S. Premises Identification Number” is the very first step one must take to “participate” in the NAIS. What is so special about this new “U.S. Premises Identification Number” (US-PIN)?

Rather than being assigned by the state’s veterinarian or yourself, this new US-PIN is the “intellectual property” of the Federal government. It is NAIS-issued, NAIS-controlled and USDA-regulated and, as we will see, comes with quite a bit of legal “baggage” attached. Though easily overlooked and scarcely mentioned, you may want to take note of some of that legal “baggage” and see how it relates to your own situation:

- A US-PIN will be issued ONLY if you agree to 24 specific contractual terms and conditions (per the NAIS “Internet Web Site Use Agreement” and “Web Site Privacy Policy”).
- These terms and conditions are subject to change by the Federal government at any time.
- A US-PIN establishes an “Account” with the Federal government.
- A US-PIN designates your account’s “Business Type” (i.e. a partnership).
- A US-PIN designates your account’s “Business Operation Type” (i.e. a production unit).
- A US-PIN points to a specific geographic location that is described with your land’s legal description (i.e. Township, Range & Section), and maps to GPS-coordinates (longitude & latitude).
- A US-PIN designates your farm’s, or ranch’s, “Premises Operation Type” (i.e. as a production unit).
- A US-PIN also designates “Non-Producer” participants (i.e. a tag distributor).
- A US-PIN also designates “Non-Production” participants (i.e. vet clinic, fair ground etc.).
- A US-PIN identifies all animal species at your farm, ranch, or non-production location.
- A US-PIN permanently “attaches” to the land it describes (a.k.a. “runs with the land”).
- All information (premises, animals, accounts, tracking etc.) is owned by the NAIS and can be put to whatever purpose the Federal government deems appropriate.
- As of August 2006, no Federal laws or regulations exist that safeguard the information stored in the NAIS, and the NAIS will not be responsible for any data loss or breach of security.

- A US-PIN subjects your farm, ranch, or non-production premises to Federal laws and regulations including but not limited to inspections, quarantines, record keeping, animal tagging and movement reporting.
- A US-PIN, if it ever becomes mandatory, would be equivalent to a “license” for you to be in the “business” of farming.

The above (partial) list clearly demonstrates that this new “U.S. Premises Identification Number” not only represents the Federal and your state government’s universal key to unlock a treasure trove of farming-related and/or production information, but could also be applied as a choke-hold on producers and non-producers alike – without a US-PIN, will they still be able to operate?

In order to qualify for and receive grants of Federal funds to get the NAIS implemented across the country, the 50 States and some of the Tribes have entered into “cooperative agreements” with the Federal government to “share” the NAIS at the state and tribal level. To prove my point, here is a direct quote (my emphasis added) from Washington state’s cooperative agreement (drafted May 25, 2005 and signed July 25, 2005):

*“The states are in an excellent position to assist in the implementation of NAIS because they work regularly with the target populations and industry partners. **If WSDA does not do this type of work, implementation of NAIS will be delayed and resisted.** The work done by WSDA will also identify issues and implementation barriers for consideration at the national level.”*

Will the states exploit having this kind of influence with some of the “target populations”? Judge for yourself. Below is a direct quote (my emphasis added) from a letter Wisconsin’s Secretary of Agriculture recently wrote to a Wisconsin dairy farmer:

*“ A notice was sent to you in April 2006 requesting your premises registration code. We have not received a response. Please read through this letter and the registration instructions; if you fail to comply by July 30, 2006, **compliance action may be taken against your dairy producer license.**”*

There you have it – the states are poised to leverage the NAIS, at the state level, in whatever context suits the state. In this case, to force a dairy farmer into the NAIS. Never mind the fact that Wisconsin’s so-called “premises identification number” is in actuality the US-PIN discussed above, the very same identification scheme that is actively being promoted by the WSDA right now. Did anybody disclose to that dairy farmer, or to you, that this number is subject to federally-dictated terms and conditions that are laid down in a binding CONTRACT? How can state-law or -regulation compel anyone to enter into that kind of a contract? We shall revisit this question soon after taking a thorough look at some of the other, NAIS-connected programs.



Bruno Schmidt is co-author of the self-published “Farmer’s Field Guide to the NAIS”. He has spent in excess of 1000 hours over the past three years researching the National Animal Identification System. For more information, please visit www.FarmersFieldGuide.com