The 2024 Cattle Traceability Rule: Frequently Asked Questions
For Producers

WHAT WAS REQUIRED UNDER THE 2013 RULE?

In January 2013, the USDA Animal and Plant Health Inspection Service (APHIS) issued regulations regarding animal disease traceability for interstate movements. The 2013 final Animal Disease Traceability (ADT) rule required certain classes of cattle to have an "official identification device or method" before moving across state lines. Which devices and methods counted as an official means of identification was left up to the discretion of the APHIS Administrator. Since then, APHIS has been accepting the following devices and methods as official identification for cattle moving interstate:

- Metal tags (*readable by sight, non-electronic)*
- RFID tags (*readable by sight, and a form of electronic ID*)
- Group/Lot ID.

Additionally, if there was an agreement between the shipping and receiving State or Tribal animal health authorities, APHIS also accepted:

- Brands registered with a recognized brand inspection authority and accompanied by an official brand inspection certificate.
- Tattoos accepted by a recognized breed association and accompanied by a breed registration certificate.

WHICH CLASSES OF CATTLE WERE SUBJECT TO THE 2013 ADT RULE?

The 2013 requirements applied when the following classes of cattle were moved across state lines: sexually intact cattle at or over the age of 18 months; all female dairy cattle of any age; male dairy cattle born after March 11, 2013; and all cattle used for rodeo, recreational events, showing, or exhibitions.

WHAT IS NOW REQUIRED UNDER THE 2024 RULE?

APHIS is now requiring that approved ear tags be **both visually and electronically readable** to count as official identification for interstate movement of covered cattle.

WHICH CATTLE ARE SUBJECT TO THE 2024 RULE?

This part of the regulations has not changed. The 2024 rule applies to sexually intact cattle at or over the age of 18 months; all female dairy cattle of any age; male dairy cattle born after March 11, 2013; and all cattle used for rodeo, showing, or exhibitions.

WHEN DOES THE 2024 RULE GO INTO EFFECT?

The implementation date is November 5, 2024. Cattle tagged with a metal tag or a plastic, non-RFID official identification tag **prior** to that date will be grandfathered in. That tag will

be considered acceptable for interstate movement for the duration of the life of that animal.

WHAT CLASSES OF CATTLE ARE NOT IMPACTED BY THE UPDATED RULE?
- The 2024 rule does **NOT** apply to beef cattle under 18 months of age.
- The 2024 rule does **NOT** apply to cattle who are not leaving the state (moving intrastate only). At the same time, the updated rule also does not change or cancel any existing requirements for disease monitoring. For example, if you are in Washington state and are required to have an 840 tag as proof of Bangs vaccination, that state requirement still stands.
- The 2024 rule does **NOT** apply to "commuter herds," cattle who are moving across state lines from pasture to pasture based on a movement permit agreed to by the livestock owner and the State or Tribal animal health official. In those cases, brands and tattoos accompanied by the appropriate certificate **and** shipper-receiver agreement will continue to suffice as official animal identification, per the existing regulations.

WHAT KIND OF ELECTRONIC TAGS FULFILL THE NEW REQUIREMENT?
Currently, **the only EID technology approved by APHIS is an 840 tag.** 900 series tags do not fulfill the requirements of this rule, because they are not approved as an official means of identification by APHIS.

WHY IS TRACEABILITY AN INDUSTRY PRIORITY?
The federal government estimates that the United States will receive 77.7 million international visitors in 2024. The United States grants up to 675,000 permanent visas every year for legal immigration. In 2023, U.S. Customs and Border Protection recorded nearly 2.5 million incidents with undocumented migrants at the U.S.-Mexico border. The sheer volume of people coming in and out of the country is staggering, not even counting the massive amount of global shipping, air traffic, and trade at our ports of entry. **Every single one of these entrances to the country represent a new opportunity for foreign animal disease to enter the United States**. The threat of a foreign animal disease outbreak is severe, and it is growing. Highly contagious diseases like African swine fever and Foot and Mouth Disease (FMD) will trigger 72 hour stop-movement orders as soon as they're detected in the United States. We would immediately lose access to our export markets. Many other diseases could trigger quarantines and movements restrictions if federal, state, or local officials think it's necessary. The massive disruption to the supply chain will have a significant impact on cattle producers' bottom line; **it's estimated that an FMD outbreak could cause $221 billion in economic losses to the American cattle and beef industry.** A fast, accurate, and national traceability system will be vital to treating an outbreak, preventing the spread of disease, and proving which herds are safe to move so producers can get back to business. An EID tag system can accomplish this task faster and more efficiently than a metal tag system.

ARE EID TAGS MORE EFFECTIVE THAN THE CURRENT METAL TAGS?

Unfortunately for them, the United Kingdom has provided us with a perfect test case of how traceability will function during an FMD outbreak. In 2001, **before** the implementation of EID in the U.K., the country experienced an outbreak.

- The outbreak lasted for 8 months.
- 6 million animals were depopulated.
- 60 farmers lost their lives to suicide.
- The cattle industry lost $19 billion USD.
- It took 18 months to normalize their trade relations with other nations.

The U.K. had another FMD outbreak in 2007, **after** the implementation of EID.

- With EID, the outbreak lasted 4 months, down from 8.
- With EID, just over 2,100 animals were depopulated, down from 6 million.
- With EID, no farmers lost their lives to suicide during the outbreak, down from 60.
- With EID, the industry lost $200 million in USD, down from $19 billion.
- With EID, it took the U.K. 2 months to resume normal trade, down from 18 months.

To watch a simulated bovine tuberculosis (TB) trace and learn more about the moving parts involved in an investigation – and the dozens of potential links in the chain where paper records might fall short – click here.

WHAT ABOUT CATTLE MOVING DIRECT TO SLAUGHTER?

The 2024 rule does **NOT** apply to cattle of any age who are moving interstate to go directly to slaughter. That said, 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 only, and then leave that 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.

Under the 2013 rule, cattle were allowed to move interstate without an official means of identification if they were moving directly to an approved livestock market and then slaughter, or directly to slaughter. The old regulations also specified that cattle must be identified using official means if they are held for more than 3 days at the plant. (There were no specific requirements for the unlikely scenario where cattle might be held for 3 or fewer days at one plant and then moved to a different slaughter location.)

HOW ARE TAG NUMBERS ASSIGNED AND ORGANIZED? DO I NEED A PREMISE ID?

Short answer: you must have a PIN or LID to purchase electronic official animal ID tags. It doesn't matter if you are an organization (like a state cattle association) who wants to help hand out large numbers of tags, or if you are an individual producer trying to get tags only

for your operation – anyone purchasing, distributing, or receiving EID tags will need to have a PIN or LID number.

Long answer: to understand the full system for cataloguing tag numbers, we're going to work our way from the smallest and most local level (individual animals) up to the database level (both state and federal).

Starting with the individual animals – different tag methods involve different tag numbers. Metal brite tags are stamped with a 9-digit number. The number begins with a state or Tribal code, followed by three letters, followed by four numbers; in combination, this sequence makes up the individual identification number for that animal. The next type of individual identification sequence is called an **animal identification number (AIN)**. AINs are 15-digit numbers visually printed and/or electronically encoded on a tag. **AINs used to be assigned to both visual-only and electronic tags but as of November 5, visual-only AIN numbers will no longer be distributed as official animal ID.** AINs give electronic 840 tags their commonly used name. The first three digits are a country code (840 for the U.S.), the rest make up the unique sequence for that individual animal.

Now, moving on the next rung up on the ladder – AINs (which, remember, must be associated with an EID tag come November for the purposes of official animal ID) by law can only be distributed to a premises or entity that has either a **premises identification number (PIN) or location identifier (LID)**. Distributors of electronic AINs are also obligated to keep records and verify the accuracy of the PIN or LID before handing out tags. To reiterate, **you must have a PIN or LID to purchase official electronic animal identification tags.** PINs have 7 digits, LIDs can have 6, 7, or 8 digits. Both PIN and LID registrations are administered by states. To obtain a PIN or LID, [click here to locate SAHO information for your state](#).

While PIN and LID registration is handled at the state level, there is a difference in how they are stored. LIDs are only maintained in state databases, while PINs are stored at the federal level by APHIS – which brings us to the last rung on the ladder, the federal database where AIN data is stored.

The Animal Identification Management System (AIMS) is a federally managed database containing all AIN (a.k.a. 840 tag) numbers. AIMS is where unused numbers are pulled from when a tag manufacturer wants to make a new batch of 840 tags, and AIMS is where information is entered by people who distribute 840 tags. All records of 840 tags sold or handed out by anyone – a manufacturer, reseller, accredited veterinarian, animal health official, reseller, or AIN Device Manager – must be reported to AIMS by the person "possessing the device when distributing the device to the next individual, whether it is a producer or another reseller." **In other words, the person who HAS the tags first and is selling or passing them on to the next person (whether that received is the producer who is going to use the tags, or another middleman in the chain) is the one who is required to submit their records to the AIMS database.**

THAT WAS CONFUSING – CAN YOU GIVE AN EXAMPLE?

Example scenario: manufacturing company Good Tags Inc. is authorized to produce electronic identification tags (a.k.a. 840 tags.) They ask USDA for a batch of 10,000 new numbers that have not been used yet. USDA allocates 10,000 new numbers to Good Tags, who then use those numbers to produce 10,000 new 840 tags. Each number – printed visually on the tag and encoded electronically – is an animal identification number, or AIN. Good Tags Inc. sends 5,000 tags from that batch to the Alaska Department of Agriculture. The Alaska Department of Agriculture hands all 5,000 tags out, at no cost, to cattle producers. It is the Department's responsibility to

- ensure that every cattle producer receiving tags has a valid PIN or LID, and
- ensure that records of which tags were distributed to which producer are entered into the AIMS database.

The other 5,000 tags that Good Tags Inc. made are sold* directly to the Alaska Stockgrowers Association. The Stockgrowers executive director has already completed the steps required by USDA to become an AIN Device Manager. They understand their responsibilities to maintain records, validate the accuracy of PINs and LIDs, and help educate cattle producers on the proper use of 840 tags. After the box of 5,000 tags arrives, the Alaska Stockgrowers Association puts out the call to producers. Each time a producer or an accredited veterinarian arrives at the Stockgrowers office to pick up tags, the AIN Device Manager

- Ensures that the producer has an accurate PIN or LID
- Makes a record of the tag numbers going to each producer
- Makes a record of any tag numbers that have been returned, i.e. are no longer being used on the farm/ranch.
- Submits the record of all AINs that have been distributed to producers into the AIMS database **within 24 hours, or by close of the following business day.**

* For more context, please see "Can state cattle organizations distribute EID tags?"

CAN STATE CATTLE ORGANIZATIONS DISTRIBUTE EID TAGS?

State cattle groups, accredited veterinarians, and other stakeholders who want to help distribute tags can do so by becoming AIN Device Managers. [Click here to read through a guide by APHIS on how to become an AIN Device Manager](). Note: Device Managers are not merely tasked with handing out tags. They have obligations that are absolutely vital to maintaining the integrity of the national animal disease traceability system. 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. If tags are not changing hands in person (i.e. the producer picking them up at the office, or the Device Manager driving them out to the ranch) then the Device Manager must provide the PIN or LID of the producer to the entity that will be shipping the tags.

NCBA understands that most state cattle associations are not in a position to purchase tags, and we do not expect them to. Following the instruction from Congress that was included in the FY24 appropriations package, APHIS purchased 8 million tags this year and distributed them at no cost to the states. State veterinarians and animal health officials now have an obligation to distribute those tags to producers on the ground, at no cost. NCBA is also working to secure this language again in the FY25 appropriations bill to direct APHIS to spend an additional $15 million on tags and related infrastructure.

HOW MUCH WILL COMPLIANCE COST COW-CALF PRODUCERS?
The average cost of an 840 tag is $3/head.

ARE 840 TAGS MADE IN THE UNITED STATES?
Partially. In the United States, three companies account for the bulk of 840 tag sales: Allflex (headquartered in Dallas, TX), Datamars (headquartered in Switzerland with an office in Temple, TX), and Y-Tex (headquartered in Cody, WY). NCBA has not verified the supply chain for all three products but based on what we know, the most common scenario is that parts are manufactured overseas in places like China and finished tags are assembled in the United States.

DO BANGS TAGS FULFILL THE NEW REQUIREMENT?
If you are using an 840 RFID tag, yes. If you are using an orange metal Official Calfhood Vaccination (OCV) tag, no.

WHAT INFORMATION IS ENCODED IN THE EID TAG?
840 tags are only encoded with the 15-digit AIN number. The tag itself does not record or transmit owner-specific information and no proprietary business information is stored in animal disease traceability databases. That said, the records kept by tag distributors contain more information, including the addresses of producers. EID tags do not measure, record, or transmit environmental information, such as emissions. They are also different from GPS devices; while they **do** log a data point when they are scanned (ex. When a tagged animal runs through a reader at a sale barn), they **do not** collect constant location data while cattle are grazing on the ranch.

WHAT ABOUT DATA ON THE DISTRIBUTION OF TAGS AND WHO HAS THEM?
The records kept by veterinarians, device managers, or other parties who distribute EID tags include the animal identification number (AIN) which is specific to each individual animal, the date the tag was distributed, and the PIN or LID that corresponds to the producer's operation/location. Tags used for official identification cannot be reused.

Under current regulations, any state, Tribe, accredited veterinarian, or other entity (ex. retailer) who distributes AIN devices must report their records to APHIS's database called AIMS. Alternatively, distributors may report their information to their state or Tribe, provided that the state/Tribe maintains complete AIN device distribution records in their own system. If the state/Tribe has a properly maintained database that is searchable, they do

not need to report that same information to AIMS (the federal database); it can just be stored at the state/Tribal level. Either way, the distributor must keep their own records on AIN device distribution for a period of five years.

Distribution records do not contain any environmental information.

WHAT ABOUT DATA PRIVACY? WHO CAN ACCESS DATA FROM TAGS?
Animal disease traceability information is housed in official federal and state databases. **Those databases are NOT publicly available**. They are only accessible to federal and state government officials who are responsible for dealing with high-impact animal diseases and who have passed extensive security screening and training to ensure data is handled correctly. NCBA is also working with allies in Congress on legislation that would strengthen and codify protections for producer information attached to tags (i.e. addresses) and prohibit tags from being used to collect any other data not directly related to animal disease traceability.

IS THE DATA SUBJECT TO THE FREEDOM OF INFORMATION ACT (FOIA)?
APHIS does not have the statutory authority to make anything subject or not subject to FOIA, it's not in their purview. However, there are a few backstops already in place that will prevent any data from tags being accessible via a FOIA request:
- FOIA Exemption 4 protects trade secrets and any commercial or financial information that is confidential or privileged.
- FOIA Exemption 6 protects information that would invade an individual's personal privacy if disclosed.
- The Privacy Act protects personal information by banning the government from making unauthorized disclosures of information held in a federal database. Individuals connected to any requested data have the legal right to review all the information, request corrections to the information, and be informed of any disclosures.

We also have strong legal precedent for protecting this data from FOIA requests. In *American Farm Bureau Federation v. Environmental Protection Agency (2015)*, AFBF and the National Pork Producers Council received a favorable decision in the 8th Circuit when they argued that EPA disclosed personal information on CAFO owners in violation of an existing FOIA exemption, and that CAFOs had a valid privacy interest in preventing the mass aggregation and release of farm and ranch data. NCBA succeeded in curbing Scope 3 of the proposed SEC greenhouse gas emissions reporting rule in large part because we raised this case with the SEC, and the agency recognized they could not proceed without contradicting legal precedent.

HOW DO PRODUCERS GET TAGS? IS COST-SHARE AVAILABLE?
Each year since 2020, APHIS has distributed free electronic animal ID tags through state veterinarians. Each state can request some or all of their maximum allotted number of EID tags; the maximum for each state is calculated by a formula based on the 2022 agricultural

census completed by the National Agricultural Statistics Service. APHIS currently acts as a middleman between states and the tag manufacturers. Once APHIS delivers the requested number of tags to the state veterinarian's office, they defer to the state on how to proceed – **it is up to the state at that point, not APHIS, to make sure those tags reach producers at the grassroots level**. To ensure that an adequate number of free tags would be available to cover the producers subject to the revised ADT rule, NCBA worked to secure $15 million in the Consolidated Appropriations Act of 2024 for EID tags and related infrastructure (readers). We are also working to secure an additional $15 million in the FY24 Agriculture-FDA appropriations bill, which is still in process. There is no direct cost-share or reimbursement model for EID tags at this time.

IS TAGGING CATTLE A NEW CONCEPT?
No. Even before the 2013 final ADT rule, producers in some states were using both electronic and non-electronic tags for various purposes. Ex. orange metal tags have been used to indicate bangs vaccination since the 1950s; the national beef quality audits that have been conducted every five years since 1991 utilized data collected from EID tags; four states (MI, CO, FL, and KY) currently have their own requirements to use RFID tags for intrastate movement, etc.

WHERE IN THE FEDERAL GOVERNMENT DID THIS COME FROM?
The 2013 rule, the 2024 rule, and numerous other regulations on animal health and disease are developed and implemented by USDA's Animal and Plant Health Inspection Service (APHIS). The requirement to start using EID tags as the official means of identification for interstate movement is NOT coming from the EPA, the BLM, or any other environmental or land management agency.

WHAT ROLE DOES MY STATE PLAY IN ALL THIS?
The ability to track and control a foreign animal disease outbreak is not just a federal priority; states also bear a major responsibility and have a major stake in ADT. Currently, 47 states plus Puerto Rico, U.S. Virgin Islands, and the Eastern Band of Cherokee Indians have cooperative agreements with USDA for the implementation of a national animal disease traceability system. Among other things, these agreements require states to provide USDA with an ADT Road Map that reflects their long-term plans and goals for traceability. To read your state's plan, click on this link, scroll down, and click on the plus sign to expand the blue box "State Road Maps," directly above "Contact Us." All cooperator plans are linked there. State animal health officials are involved early on in disease traceback investigations, and work in collaboration with the federal government to contact producers, trace movements, and verify records.

HOW DID NCBA ENGAGE IN THIS REGULATORY PROCESS?
NCBA has consistently fought to keep this multi-year regulatory process focused on what cattle producers want and need out of an animal disease traceability system. There has always been a core set of priorities that NCBA advocated for inclusion in **any** updated rulemaking on EID tags, whether that rule was voluntary or mandatory. We laid out these

core priorities in our 2023 comments on the proposed rule, and throughout our talks with APHIS as they finalized the rule. These priorities were also codified in the policy that passed through our grassroots process at CattleCon in January 2024. Specifically, our priorities are that a nationally significant animal disease traceability system should:

- Protect data and maintain producers' privacy.
- Utilize low-cost devices and offset the cost to producers with federal or state funds.
- Operate at the speed of commerce.
- Maintain existing state brand inspection activities.
- Be compatible with private sector animal ID programs backed by USDA.
- Keep separate any rulemaking for feeder cattle (under 18 months of age.)

WHAT ARE NCBA'S NEXT STEPS NOW THAT THE RULE IS FINAL?
- 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 will continue to engage with APHIS and SAHOs to ensure this funding makes it to the ground.
- We are also advocating for an additional $15 million in the FY25 Agriculture-FDA Appropriations Act. That bill has not yet passed the House (as of writing), but we will continue to work to include support for producers in any final FY25 appropriations package.
- Currently, the only technology APHIS has been asked to approve as an official means of electronic identification are low frequency RFID tags numbered with the "840" prefix. We will continue to urge USDA to approve more types of EID tags, so implementation of this rule can keep pace with the rapidly evolving technology on the market. Having more options available will also drive down the cost per tag and alleviate the long delays from tags being on backorder.
- NCBA is supporting and advocating for a number of legislative solutions that would make the data privacy protections for producers using EID tags more explicit. Stay tuned for more updates as we work with Congressman Johnson (R-SD), Senator Barrasso (R-WY), and others to codify these protections.
- In addition to other safeguards, NCBA is confident that the precedent set by *American Farm Bureau Federation v. Environmental Protection Agency (2015)* protects EID tag and AIN distribution data from disclosure under FOIA. We will raise this with APHIS as the effective date gets closer.