

SENATE No. 368

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to sustainable farming protection..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (A) This Commonwealth has entered into agreements with the federal
2 government of the United States, and otherwise may have participated in establishing a National
3 Animal Identification System (hereinafter “NAIS”).

4 (B) Neither the United States Department of Agriculture nor the Massachusetts
5 Department of Agricultural Resources (hereinafter “MDAR”) has demonstrated any scientific
6 findings that the NAIS will prevent the spread of diseases of animal origin to humans or to other
7 animals, or will benefit animal or public health.

8 (C) Sustainable animal husbandry practices, which include adequate space, appropriate
9 feed, and access to pasture, fresh air and sunlight are important in promoting animal health and
10 thus preventing the spread of diseases of animal origin.

11 (D) The establishment of NAIS is detrimental to small and sustainable animal husbandry
12 farming operations.

13 SECTION 2. : Cooperative Agreement Termination

14 MDAR shall withdraw any pending application for USDA NAIS Cooperative Agreement
15 funding for FY 2007; or, in the event that the USDA already has granted funding and a
16 Cooperative Agreement for FY 2007 already has been executed, MDAR shall return any FY
17 2007 funding to the USDA and rescind any existing Cooperative Agreement for FY 2007.

18 SECTION 3. : Citizens Data Upload Termination

19 MDAR shall immediately cease sending data on the Commonwealth's citizens and
20 animal premises to the USDA National Premises Information Repository.

21 SECTION 4. : Notification and Data Removal

22 MDAR shall: (a) immediately notify all citizens whose premises information previously
23 has been submitted to the USDA National Premises Information Repository without their
24 specific authorization; and (b) develop a procedure with the USDA whereby such Massachusetts
25 data will be expunged from the USDA National Premises Information Repository.