



# Animal Welfare Institute

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March 6, 2023

Dr. Aaron Scott, Director  
National Animal Disease Traceability and Veterinary Accreditation Center  
Strategy & Policy, Veterinary Services  
Animal and Plant Health Inspection Service  
2150 Centre Ave  
Fort Collins, CO 80526

*Submitted via Regulations.gov*

**RE: Docket No. APHIS–2021–0020; Use of Electronic Identification Eartags as Official Identification in Cattle and Bison**

Dear Dr. Scott:

The Animal Welfare Institute (AWI) submits these comments in response to APHIS' proposed changes to the Animal Disease Traceability framework and reiterates our support for establishing electronic identification (EID) eartags as the only official eartags permitted for use in interstate movement of cattle and bison. Doing so will better enable animal health officials at the federal, state, and tribal level to protect against a devastating disease outbreak that can negatively impact animal health and welfare. Additionally, we urge the agency to phase out branding as an official means of identification under 9 C.F.R. § 86.4 based on animal welfare concerns and the availability of more effective and humane alternatives, particularly the very EID eartags this rule would require (should an eartag be used as the official identification method).

As the proposed rule states, a comprehensive and reliable animal disease traceability system is critical to preventing the spread of and eradicating disease among livestock. The widespread use of EID tags will allow federal and state animal health officials, veterinarians, and farmers to quickly identify sick or exposed animals thereby helping to prevent the spread of disease and prolonged exposure within a herd. It will also reduce suffering by decreasing the number of animals that may otherwise need to be euthanized due to the inability to readily identify the source of disease. EID tags provide numerous advantages for disease traceability, including reliability and efficiency through the centralization of data and information that can be rapidly shared. They also reduce the risk of inaccurate records and data entry errors.

In addition to expanding the use of EID tags, AWI urges APHIS to phase out its acceptance of branding as an official method of identification. This antiquated method presents significant animal welfare concerns, which is in part the basis for numerous recommendations by the

American Veterinary Medical Association (AVMA) to abandon it use.<sup>1</sup> Hot-iron branding creates a third-degree burn on the animal's skin that can take at least 8 weeks to heal, during which time the animal experiences pain and distress. One study found that hot-iron branded tissue remained painful and unhealed 71 days after branding occurred.<sup>2</sup> This research supports the determination made by the AVMA that "both hot-iron and freeze branding are considered to be painful for ruminants."<sup>3</sup> Based on this assessment, the AVMA has repeatedly urged the agency to prioritize the development of alternatives to hot-iron branding.<sup>4</sup>

Continuing to allow branding as an official identification method is counterintuitive to the very purpose of APHIS moving forward with this proposed rule. With the availability of alternative, more humane identification methods<sup>5</sup> and the ongoing transition to EID tags, use of an outdated method that is less effective at quickly tracing disease and causes significant pain and distress to the animals is unnecessary and should be phased out.

Thank you for the opportunity to provide input on this proposed rule and for your consideration of our comments.

Sincerely,



Allie Granger, Policy Associate  
Animal Welfare Institute

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<sup>1</sup> AVMA, Livestock identification and animal traceability, available at <https://www.avma.org/resources-tools/avma-policies/livestock-identification-and-animal-traceability>.

<sup>2</sup> Tucker, Cassandra B, et al. "Pain sensitivity and healing of hot-iron cattle brands." *Journal of Animal Science* 92.12 (2014): 5674-5682.

<sup>3</sup> AVMA, Animal Welfare Division, Welfare implications of hot-iron branding and its alternatives, April 4, 2011, available at <https://www.avma.org/resources-tools/literature-reviews/welfare-implications-hot-iron-branding-and-its-alternatives>.

<sup>4</sup> JD Donlin, AVMA comment on Docket No. APHIS-2021-0020, February 27, 2023; JD Donlin, AVMA comment on Docket No. APHIS-2020-0022, October 5, 2020; JD Donlin, AVMA comment on Docket No. APHIS-2016-0050, May 23, 2018.

<sup>5</sup> In addition to EID tags, tattooing is an alternative method available to producers that costs less, does less damage to the animal's skin or hide, and is believed to be less painful than branding. See C Nel, Tattooing and ear notching techniques, *Farmers Weekly*, March 20, 2014. See also AVMA, Animal Welfare Division, Welfare implications of hot-iron branding and its alternatives, April 4, 2011.