

SENATE, NO. 2372

[Senate, April 12, 2010 - New draft of Senate, No. 368 reported from the committee on the Environmental, Natural Resources and Agriculture.]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND TEN

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 Cooperative Agreement
15 funding for this year, and refuse to apply for any future such funds if a condition of receiving
16 these funds is cooperation with or furtherance of the National Animal Identification System.

17 **SECTION 3. Citizens Data Upload Termination**

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

20 **SECTION 4. Notification and Data Removal**

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