

**SENATE . . . . . No. 368**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Mr. Brewer**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to sustainable farming protection.

PETITION OF:

NAME:

Mr. Brewer

Todd M. Smola

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Franklin

1st Hampden

# The Commonwealth of Massachusetts

In the Year Two Thousand and 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 government  
2 of the United States, and otherwise may have participated in establishing a National Animal  
3 Identification System (hereinafter "NAIS").

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

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

11 (D) The establishment of NAIS is detrimental to small and sustainable animal husbandry farming  
12 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 animal  
20 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 has  
23 been submitted to the USDA National Premises Information Repository without their specific  
24 authorization; and (b) develop a procedure with the USDA whereby such Massachusetts data  
25 will be expunged from the USDA National Premises Information Repository.