

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 647

Introduced by Davis, 43; Carlson, 38; Wallman, 30.

Read first time January 23, 2013

Committee: Agriculture

A BILL

1 FOR AN ACT relating to agriculture; to amend section 54-784.01,
2 Reissue Revised Statutes of Nebraska; to change Animal
3 Importation Act provisions relating to cattle
4 identification; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 54-784.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 54-784.01 Sections 54-784.01 to 54-796 and section 2 of
4 this act shall be known and may be cited as the Animal Importation
5 Act.

6 Sec. 2. (1) Except as otherwise provided in this section,
7 individual identification of cattle imported into Nebraska shall not
8 be required if (a) the cattle are identified by a registered brand
9 and accompanied by an official brand inspection certificate issued by
10 the recognized brand inspection authority of the state of origin and
11 (b) such cattle are imported directly from a mandatory brand
12 inspection area of any state.

13 (2) The Department of Agriculture may require cattle
14 imported into Nebraska to be identified by individual identification
15 to enter the state if the Director of Agriculture determines that:

16 (a) The state of origin recognized brand registration or
17 brand inspection procedures and documentation are insufficient to
18 enable the tracing of individual animals to the animal's herd of
19 origin;

20 (b) Identification by brand alone is in conflict with a
21 standard of federal law or regulation regarding identification of
22 cattle moved into Nebraska; or

23 (c) The cattle originate from a location that is not a
24 tuberculous accredited-free state or zone pursuant to 9 C.F.R. 77.7
25 or is not designated a brucellosis Class Free or Class A state or

1 area pursuant to 9 C.F.R. 78.41, as such regulations existed on
2 January 1, 2013.

3 (3) At no time shall a registered brand inspection
4 certificate be used in lieu of a certificate of veterinary
5 inspection.

6 (4) This section does not limit the authority of the
7 State Veterinarian to issue import orders imposing additional
8 requirements for animals imported into Nebraska from any state,
9 country, zone, or other area, including requirements relating to
10 identification.

11 (5) For purposes of this section:

12 (a) Individual identification means a device or method
13 approved by the Department of Agriculture of uniquely identifying a
14 specific animal to its herd of origin and is not synonymous with
15 official identification; and

16 (b) Official identification means identifying an animal
17 or group of animals using devices or methods approved by the
18 Veterinary Services Office of the Animal and Plant Health Inspection
19 Service of the United States Department of Agriculture, including,
20 but not limited to, official tags, tattoos, and registered brands
21 when accompanied by a certificate of inspection from a recognized
22 brand inspection authority.

23 Sec. 3. Original section 54-784.01, Reissue Revised
24 Statutes of Nebraska, is repealed.