SENATE DOCKET, NO. FILED ON: 1/12/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Mr. Brewer**

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*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: | District/Address: |
| Mr. Brewer | Worcester, Hampden, Hampshire and Franklin |

The Commonwealth of Massachusetts

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**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:*

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

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

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

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

SECTION 2. : Cooperative Agreement Termination

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

SECTION 3. : Citizens Data Upload Termination

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

SECTION 4. : Notification and Data Removal

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