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States' Animal Identification Statutes

State of Utah

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States' Animal Identification Statutes

STATE OF UTAH

Utah Code Ann. § 4-31-22
Utah Code Ann. § 63G-2-305(49)

Current through 2010 General Session

§ 4-31-22. National animal identification system

- (1) As used in this section, "national animal identification system" means a voluntary system organized by the United States Department of Agriculture to collect information regarding premises registration, animal identification, and animal movement.
- (2) The department may participate in a national animal identification system.
- (3) The department may not:
 - (a) require a person to participate in the national animal identification system that requires livestock premise registration, identification, or tracking;
 - (b) withhold indemnity based solely on nonparticipation in the national animal identification system; or
 - (c) deny, revoke, or limit a service, license, permit, grant, or other benefit to a person who does not participate in the national animal identification system.
- (4) This section does not prohibit the department from:
 - (a) establishing or participating in a disease control program specifically designed to address a known disease in a specific species of livestock; and
 - (b) operating livestock identification, brand registration, or inspection programs as authorized by this title.
- (5) A political subdivision may not require participation in the national animal identification system that regulates livestock or poultry, including premise registration, animal identification, or the tracking or surveillance of livestock or poultry.
- (6)(a) A person who participates in a national animal identification system may withdraw from participation at any time.
 - (b) When a person withdraws from the national animal identification system, except as provided by Subsection (6)(c), the department shall:
 - (i) delete all information submitted by the person; and

(ii) notify any entity with whom the department has shared the information of the withdrawal and request the entity delete the information.

(c) The department is not required to delete information if a person is part of an ongoing disease investigation, monitoring, or control program for which the department has responsibility.

(7) By following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may adopt a rule:

(a) establishing a procedure by which a person may withdraw from the national animal identification system; and

(b) if the national animal identification is required by federal law, that is:

(i) necessary to implement federal law; and

(ii) no more stringent than federal law.

(8)(a) If any provision of this section, or the application of any provision to any person or circumstance is held invalid, the remainder of this section shall be given effect without the invalid provision or application.

(b) The provisions of this provision are severable.

§ 63G-2-305. Protected records

The following records are protected if properly classified by a governmental entity:

...

(49) records of the Department of Agriculture and Food relating to the National Animal Identification System or any other program that provides for the identification, tracing, or control of livestock diseases, including any program established under Title 4, Chapter 24, Utah Livestock Brand and Anti-theft Act or Title 4, Chapter 31, Livestock Inspection and Quarantine;