



Animal Welfare Institute

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Dr. Betzaida Lopez
Regulatory Analysis and Development
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Station 3A-03.8
4700 River Road Unit 118
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RE: Docket No. APHIS-2016-0050; Branding Requirements for Bovines Imported into the United States from Mexico; Proposed Rule

Dear Dr. Lopez:

On behalf of the Animal Welfare Institute (AWI), and our supporters across the country, I wish to submit comments on Docket No. APHIS-0016-0050, regarding branding requirements for bovines imported into the United States from Mexico.

According to the *Federal Register* notice of April 12, the purpose of the proposed change is to better identify bovines as having been imported from Mexico. The notice explains that several issues have arisen as a result of current branding requirements, including some brands being difficult to read due to their small size, and confusion between the “Mx” brand for spayed heifers and the “MX” brand for sexually intact cattle. Consequently, according to the notice, the Mexican government has requested that APHIS modify its branding requirements.

AWI appreciates concerns regarding the health status of cattle imported from Mexico, and we support taking steps to avoid the need to rebrand any animals. However, we are opposed to the proposed rule on the basis that it does not adequately address animal welfare.

The Rule Should Not Characterize Hot-Iron Branding as “Humane.”

Current APHIS regulations falsely characterize hot-iron branding as a humane form of identifying animals.¹ It is not likely that members of the public—given the chance to observe branding—would describe the process as “humane.” In fact, scientific research has demonstrated that hot-iron branding causes pain and distress, which is not surprising, given that it creates a third-degree burn on the animal’s skin. Not only is hot-iron branding painful, “it is a significant stressor that can cause weight loss, or shrink, due to animals going off feed.”² Moreover, the beef cattle standards of the World Organization for Animal Health (“OIE”) do not include hot-iron branding as a preferred method of

¹ 9 CFR 93.427(e)(3); 9 CFR 93.247(e)(3)(iii).

² BE Rollin, *Farm Animal Welfare: Social, Bioethical, and Research Issues*, Iowa State University Press, 1995, p. 58.

permanently identifying cattle.³ The APHIS proposed rule is particularly concerning because it would require significantly larger brands, which equates to significantly greater animal suffering.

In reviewing the scientific literature related to branding, the American Veterinary Medical Association (AVMA) observed that “both hot-iron and freeze branding are considered to be painful for ruminants.”⁴ To substantiate this statement, the AVMA cites research conducted in the United States and Canada, which documented higher plasma epinephrine and plasma cortisol levels, along with pronounced behavioral responses, among hot iron-branded animals.⁵ While animals demonstrated a weaker reaction to freeze branding than hot-iron branding, the response still exceeded that of “sham-branded” animals.⁶ Freeze branding also has several disadvantages, including requiring more labor and equipment, and only being useful on light-colored animals,⁷ making it an unlikely replacement for hot-iron branding.

The Rule Should Specifically Identify Tattooing as an Acceptable Alternative.

Current APHIS regulations permit the use of tattooing as a means of identification for sexually intact bovines under the section of the rule addressing bovine spongiform encephalopathy (BSE).⁸ It is not clear why tattooing is specifically cited as an acceptable method for control of BSE, but not of tuberculosis.⁹ It is also not evident why hot-iron branding is cited as an acceptable method when less inhumane methods, such as tattooing, are also acceptable. Because tattooing inside the ear of the animal is not visible at a distance, it is assumed that the ability to read without close examination is not a criterion for acceptable identification techniques. Ear tattooing has several advantages over hot-iron and freeze branding, including lower cost, portability of the equipment, less damage to the animal’s skin/hide, and less pain and stress inflicted on the animal.¹⁰

APHIS Should Pursue Alternatives to Branding.

AWI supports the recommendation of the AVMA that APHIS place a high priority on the development of alternatives to hot-iron branding.¹¹ Electronic animal identification not only results in less pain and distress to the animal, but as pointed out by the AVMA, it can also “facilitate rapid trace back of livestock in the event of a highly contagious disease outbreak.”¹² Therefore, APHIS should evaluate the possibility of replacing branding with an electronic identification system to benefit both animal welfare and public health.

³ OIE, Animal Welfare and Beef Cattle Production Systems, Terrestrial Animal Health Code, Chapter 7.9, 2017, p. 8.

⁴ AVMA, Animal Welfare Division, Welfare implications of hot-iron branding and its alternatives, April 4, 2011.

⁵ KS Schwartzkopf-Genswein et al., The use of infrared thermography to assess inflammation associated with hot-iron and free branding in cattle, *Can J Anim Sci* 77 (1992):577-583; DC Lay et al., Behavioral and physiological effects of freeze or hot-iron branding in crossbred cattle, *J Anim Sci* 70 (1992):330-338; KS Schwartzkopf-Genswein et al., Comparison of image analysis, exertion forces, and behavioural measurements for use in the assessment of beef cattle responses to hot-iron and freeze branding, *J Anim Sci* 76 (1998):972-979.

⁶ KS Schwartzkopf-Genswein et al., Comparison of image analysis, exertion forces, and behavioural measurements for use in the assessment of beef cattle responses to hot-iron and freeze branding, *J Anim Sci* 76 (1998):972-979.

⁷ BE Rollin, *Farm Animal Welfare: Social, Bioethical, and Research Issues*, Iowa State University Press, 1995, p. 58.

⁸ 9 CFR 93.427(e)(3)(ii).

⁹ 9 CFR 93.427(c)(1).

¹⁰ C Nel, Tattooing and ear notching techniques, *Farmers Weekly*, March 20, 2014. See also AVMA, Animal Welfare Division, Welfare implications of hot-iron branding and its alternatives, April 4, 2011.

¹¹ JD Donlin, AVMA comment on Docket No. APHIS-2016-0050, May 23, 2018.

¹² *Ibid.*

Until Branding is Replaced, APHIS Should Investigate Pain Control.

Canada's *Code of Practice for the Care and Handling of Dairy Cattle* requires pain control methods (e.g., anti-inflammatory and/or analgesics) for branding.¹³ However, two recent studies have called into question the efficacy of common pain control for hot-iron branding. This research concluded that neither an injection of a non-steroidal anti-inflammatory drug nor a cooling gel applied at branding sped up the healing rate or minimized wound sensitivity during the healing process.¹⁴ The scientific literature pertaining to alleviating pain associated with branding is very limited, however, and it is possible that approaches other than those reviewed in these studies will be effective. In any case, APHIS has a moral obligation to seriously consider the feasibility of requiring relief for the pain associated with hot-iron branding, if the agency is to continue recommending this practice.

Hot-iron branding is a barbaric practice dating back 4,500 years to ancient Egypt. AWI rejects any notion that no alternatives exist to this archaic tool to identify animals coming into the United States from another country. We encourage APHIS to seek less inhumane alternatives to hot-iron branding as soon as possible, and to consider requiring pain relief in the interim.

Thank you for the opportunity to comment on this issue of importance to the health and welfare of cattle. Please contact me at 202-446-2146, or dena@awionline.org, with any questions about AWI's comment.

Sincerely,



Dena Jones
Program Director

¹³ Canada National Farm Animal Care Council, *Code of Practice for the Care and Handling of Dairy Cattle*, 2009, p. 33.

¹⁴ CB Tucker et al., Effect of a cooling gel on pain sensitivity and healing of hot-iron cattle brands, *J Anim Sci* 92 (2014):5666-5673; CB Tucker et al., Pain sensitivity and healing of hot-iron cattle brands, *J Anim Sci* 92 (2014):5674-5682.