



LEGAL AND POLICY FRAMEWORKS AFFECTING THE MANAGEMENT OF ANIMAL GENETIC RESOURCES - 2013 -

Country: United States of America

SECTION 1: SUSTAINABLE USE, DEVELOPMENT AND CONSERVATION OF ANIMAL GENETIC RESOURCES

This section targets information on legislation and policies related specifically to the management of animal genetic resources, i.e. to:

- characterization, surveying and monitoring;
- sustainable use and development;
- conservation; and
- research and development related to animal genetic resources management.

It also includes issues related to patenting and access and benefit sharing. Instruments in these fields of action may or may not include specific provisions related to animal genetic resources or to relevant broader categories such as living organisms or genetic resources for food and agriculture.

1. Overall management of animal genetic resources

Note: In the policy field, this might include, for example, a national strategy and action plan for animal genetic resources.

Legislation Policy

Details of the measure(s)

Legislation passed in 1990 enabled the Agricultural Research Service of USDA to establish the National Animal Germplasm Program in 1999. The legislation then became USDA policy

Impact on animal genetic resources management

The legislation/policy facilitated the development of cryopreserved collections of germplasm, tissue and DNA for farm animals. In addition species committees were formed to address collection development and to better interface the program with the livestock industry.

Future needs

Continued program growth and collection development.

2. Integration of animal genetic resources management with the management of other genetic resources for food and agriculture (plant, forest or aquatic genetic resources)

Legislation Policy

Details of the measure(s)

The same 1990 legislation mentioned in #1 specifies the development of similar programs for other life forms.

Impact on animal genetic resources management

See #1.

Future needs

See #1.

3. Surveying and monitoring of animal genetic resources

Legislation Policy

Details of the measure(s)

There is no specific legislation requiring the surveying or monitoring animal genetic resources. However, the national program informally performs these tasks.

Impact on animal genetic resources management

No negative impact is known to occur as a result of the lack of legislation/policy.

Future needs

No future needs.

4. Official recognition of livestock breeds

Legislation

No

Policy

No

Details of the measure(s)

No legislation of policies exist.

Impact on animal genetic resources management

No negative impact on animal genetic resources management.

Future needs

No change in legislation/policies is needed.

5. Animal breeding and genetic improvement strategies

Legislation

No

Policy

No

Details of the measure(s)

Improvement strategies are the purview of the private sector.

Impact on animal genetic resources management

No negative impact on animal genetic resources as a result of a lack of legislation or policies for improvement.

Future needs

No future policy/legislative changes are needed.

Do these measures address:

5.1 Animal identification and recording

Note: Sections 2 and 3 include questions on traceability and on animal identification as it relates to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation

No

Policy

No

Details of the measure(s)

Animal identification and recording are private sector roles requiring no intervention from government.

Impact on animal genetic resources management

No negative impact on animal genetic resources as a result of a lack of legislation or policies for improvement.

Future needs

No future policy/legislative changes are needed.

5.2 The establishment and operation of breeders' associations

Legislation

No

Policy

No

Details of the measure(s)

No specific legislation/policies exist to establish and operate breeder's associations.

Impact on animal genetic resources management

Breeder associations are entities formed by breeders in the private sector. They establish their own by-laws and practices as they deem necessary. These associations have a generally positive impact on AnGR.

Future needs

No future policy/legislative changes are needed.

6. Use of reproductive biotechnologies (excluding zoosanitary issues)

Note: Zoosanitary issues are covered in Section 3.

Legislation Policy

Details of the measure(s)

For routine biotechnologies (AI or embryo transfer) there is no legislation/policy.

Impact on animal genetic resources management

No negative impact on AnGR has occurred as a result of the current legal or policy situation.

Future needs

No future policy/legislative changes are needed.

7. Genetic modification of animals used for food and agriculture

Legislation Policy

Details of the measure(s)

Genetic modification of animals can occur through routine breeding practices which have occurred for 100's of years; for this there are no laws/policies. If the question is addressing transgenic issues there are policies/laws that are in place requiring the developer to fully insure the food products are safe for human consumption as well as other issues, such as environmental impacts.

Impact on animal genetic resources management

No impact.

Future needs

No known future needs.

8. Suitability of imported genetic material for use in local production environments

Note: For example, rules requiring a "genetic assessment" before genetic material can be introduced.

Legislation Policy

Details of the measure(s)

Not having restrictive laws/policies facilitates the use and exchange of AnGR nationally and internationally.

Impact on animal genetic resources management

The lack of legislation/policies has enabled private breeders to test and evaluate a broad array of genetic resources for improved animal performance.

Future needs

No alteration is needed.

9. Conservation programmes for animal genetic resources

Legislation Policy

Details of the measure(s)

See #1.

Impact on animal genetic resources management

See #1.

Future needs

See #1.

Do these measures include provisions specifically related to:

9.1 *In vivo* conservation

Legislation Policy

Details of the measure(s)

Legislation does not specify in-situ or ex-situ. As part of answer #1 the flexibility exists to address this issue.

Impact on animal genetic resources management

Positive impact on AnGR.

Future needs

Continue support of the national program.

9.2 Cryoconservation

Legislation

No

Policy

No

Details of the measure(s)

Legislation does not specify in-situ or ex-situ. As part of answer #1 the flexibility exists to address this issue.

Impact on animal genetic resources management

Positive impact on AnGR.

Future needs

Continue support of the national program.

10. Research and development related to animal genetic resources management

Legislation

No

Policy

Yes

Details of the measure(s)

As part of answer #1 the flexibility exists to address this issue.

Impact on animal genetic resources management

A positive impact has occurred.

Future needs

Continue support of the national program.

11. Patenting

Legislation

Yes

If legislation is in place or under development, does/will it include provisions (including exemptions) specifically targeting:

Animal genetic resources for food and agriculture

No

Living organisms in general

Yes

Details of the measure(s)

No comment.

Impact on animal genetic resources management

No negative impact has been observed.

Future needs

No AnGR provisions would seem necessary.

12. Access and benefit sharing arrangements

Note: The Secretariat of the Commission on Genetic Resources for Food and Agriculture, on 8 August 2013, invited countries to report on the conditions under which genetic resources for food and agriculture are exchanged and used (Circular State Letter C/ NRD-5). Please coordinate responses within your country.

Legislation

No

Policy

No

If instruments are in place or under development, do/will they include provisions (including exemptions) specifically targeting:

Animal genetic resources for food and agriculture

No

Genetic resources for food and agriculture in general

No

Details of the measure(s)

Since livestock/genetic resources are private property the agreements of exchange are handled through private contract law and are totally dependent upon the agreement buyer and seller reach.

Impact on animal genetic resources management

No negative impact on AnGR.

Future needs

Continued support of private contracts between buyer and seller.

SECTION 2: MARKETING AND CONSUMER INFORMATION AND PROTECTION

This section targets information on legislation and policies addressing the marketing of animal products, including those addressing:

- the production and marketing of organic products;
- the production and marketing of products sold under protected designations of origin or similar labels;
- production and marketing of products sold under labels indicating adherence to animal-welfare-related standards; and
- food safety.

While some policies and legislation in these fields of action may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Consumer demand for animal products often has a major influence on the use and development of animal genetic resources. A lack of demand may place a breed at risk of extinction. Marketing initiatives for breed-specific products, or products from production systems in which locally adapted breeds are kept, can provide a means of promoting the use of at-risk breeds and reducing the risk that they will become extinct. Legislation and policies that facilitate initiatives of this kind can have a positive effect in terms of the maintenance of animal genetic diversity. Conversely, legislation and policies that inhibit the marketing of particular types of products, or products from particular locations or production systems, may inhibit the use of animal genetic resources associated with these products, locations or production systems.

1. Marketing of animal products in general

Note: This question refers to measures that are not specifically focused on market subsectors such as organic products or products with designated labels of origin.

Legislation

No

Policy

No

Details of the measure(s)

How producers market/brand their product is their decision, as long as there is truth in advertising.

Impact on animal genetic resources management

No negative impacts.

Future needs

No future actions needed.

2. Production and marketing of organic products

Legislation

Yes

Policy

Yes

Details of the measure(s)

These regulations/certifications are for crops.

Impact on animal genetic resources management

No negative impact.

Future needs

No future actions needed.

3. Production and marketing of products sold under protected designations of origin or similar labels

Legislation

No

Policy

No

Details of the measure(s)

No labeling for AnGR exists.

Impact on animal genetic resources management

No negative impact.

Future needs

No future action needed.

4. Production and marketing of products sold under labels indicating adherence to particular animal welfare-related standards

Note: For example, rules relating to the marketing of products as “free range” or under similar designations. Basic animal welfare legislation (i.e. not specifically related to marketing) is covered in Section 3.

Legislation

No

Policy

Yes

Details of the measure(s)

USDA policy only uses the term free range for chickens.

Impact on animal genetic resources management

No AnGR impact.

Future needs

None identified.

5. Safety of food products from animals

Note: If relevant, include measures related to the marketing of products derived from genetically modified organisms.

Legislation

Yes

Policy

Yes

Details of the measure(s)

As part of food safety legislation/policies animal products are inspected prior to entering the food chain.

Impact on animal genetic resources management

No AnGR impact.

Future needs

None identified.

6. Traceability of animal-origin products

Note: Sections 1 and 3 include questions on animal identification as it relates to breeding and to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation

No

Policy

Yes

Details of the measure(s)

Food inspection policies are in place to monitor food safety.

Impact on animal genetic resources management

No AnGR impact.

Future needs

None identified in relation to AnGR.

SECTION 3: ANIMAL HEALTH AND WELFARE

This section targets information on legislation and policies addressing animal health and animal welfare. While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Animal genetic resources and their management can be affected both by the direct effects of animal diseases and by the effects of measures taken to control animal diseases. For example, a disease epidemic may threaten the existence of at-risk breeds, particularly if their populations are concentrated geographically. Animal diseases, as influenced by the presence or absence of effective animal health services, can also influence the type of animal genetic resources that can be kept in particular locations, influence breeding objectives and/or affect the economic sustainability of livestock-keeping livelihoods. Compulsory culling measures used to control disease epidemics may pose a threat to geographically concentrated breed populations. Legal restrictions on the import of genetic material because of zoosanitary reasons may affect breeders' access to genetic resources. Legal restrictions on livestock movements, restrictions on particular husbandry practices, or onerous requirements for animal health-related actions on the part of livestock keepers (or in the food processing and marketing chain), may inhibit the keeping of animal genetic resources associated with the production systems targeted. Zoosanitary legislation related to the use of semen, embryos and other genetic materials may have implications for cryoconservation programmes. Legal and policy frameworks related to animal welfare might promote or inhibit the keeping of animals in particular production systems or the use of animals to provide specific products or services. In turn, these developments might promote or inhibit the continued use of the animal genetic resources associated with the respective production systems, products or services.

1. Delivery of animal health services and control of animal diseases

Legislation Policy

Details of the measure(s)

Policies are in place to control disease outbreaks. Day-to-day health services are a private sector decision.

Impact on animal genetic resources management

No AnGR impact.

Future needs

None in relation to AnGR.

Do these measures include provisions specifically related to:

1.1 Animal identification

Note: Sections 1 and 2 include questions on animal identification as it relates to breeding and on traceability. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.

Legislation Policy

Details of the measure(s)

Animal identification as part of scrapie prevention are in place.

Impact on animal genetic resources management

No negative AnGR impact

Future needs

None identified.

1.2 Control of the import of animal genetic resources (live breeding animals and/or germplasm) for zoosanitary reasons

Legislation

Details of the measure(s)

Regulations are in place concerning import health protocols.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

1.3 Control of the export of animal genetic resources (live breeding animals and/or germplasm) for zoosanitary reasons

Legislation

Details of the measure(s)

Exportation is largely based upon the requirements of the importing country.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

1.4 Zoosanitary rules related to the use of reproductive technologies

Legislation

Details of the measure(s)

As part of normal import/export regulations.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

1.5 Control of livestock movements (within the country) for zoosanitary reasons

Legislation

Details of the measure(s)

In the event of disease outbreak animal movement can be controlled.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

1.6 Restrictions or compulsory actions related to husbandry practices (for zoosanitary reasons)

Legislation

Details of the measure(s)

In the event of disease outbreak.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

1.7 Compulsory culling in the event of outbreaks of specific diseases

Legislation

If legislation is in place or under development, does/will it include provisions to protect at-risk animal genetic resources from the effects of culling programmes?

Details of the measure(s)

Mandatory culling can be put in place for certain disease outbreaks, no provisions to protect at risk populations is in place.

Impact on animal genetic resources management

No historical negative impact identified.

Future needs

None identified.

2. Animal welfare

Legislation

Yes

Policy

Yes

Details of the measure(s)

The national packers and stockyards act covers animal welfare issues, principally duration of transportation with out unloading, for livestock.

Impact on animal genetic resources management

No negative impact on AnGR.

Future needs

None identified.

SECTION 4: AGRICULTURE, LAND USE AND NATURAL RESOURCES MANAGEMENT

This section targets information on legislation and policies that address the overall management of the production systems, ecosystems and environments within which animal genetic resources are used and developed. The questions address the following main topics:

- general frameworks or strategies for rural development;
- agriculture, land use and natural resources management;
- management of biodiversity;
- other aspects of environmental protection;
- overall livestock-sector development;
- management of rangelands and other grazing lands;
- establishment of livestock farms or holdings
- establishment and operation of civil society organizations in the livestock sector
- participation of livestock keepers in decision-making in livestock-sector development; and
- prevention, preparedness and response to natural or human-induced disasters

While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. For example, polices and legislation that promote or constrain the keeping of livestock in particular production systems, for particular purposes or in particular geographical areas may promote or discourage the use of the animal genetic resources associated with these systems/uses/locations (hence possibly affecting their risk status), lead to the establishment of breeding objectives targeting the development of animals suitable for the favoured systems/uses/locations or lead to the import of genetic resources suitable for these systems/uses/locations.

1. General framework or strategy for sustainable agriculture, land use and natural-resources management

Note: This question relates to broad strategic-level instruments such as national agricultural or rural development policies, strategies or laws. Instruments related to specific aspects of agricultural and rural development should be described under other questions as and where relevant.

Legislation

Yes

Policy

Yes

Details of the measure(s)

Principally soil conservation.

Impact on animal genetic resources management

No impact on AnGR.

Future needs

None identified.

2. Management of biodiversity

Note: Please use this question to provide information on the general framework for managing all aspects of the country's biodiversity (e.g. instruments related to the designation and management of protected areas). Include, for example, information on whether animal genetic resources issues are included in your country's National Biodiversity Strategy and Action Plan and on any provisions addressing potential conflicts, or perceived conflicts, between the management of animal genetic resources and the management of other elements of biodiversity. Specific animal genetic-resources-related instruments (e.g National Strategy and Action Plans for Animal Genetic Resources) should be reported in Section 1 (Question 1).

Legislation Policy

Details of the measure(s)

No comment.

Impact on animal genetic resources management

No negative impact on AnGR.

Future needs

None identified.

3. Environmental protection

Note: Instruments specifically targeting the management of biodiversity are covered under Question 2. Please use this question to provide information on instruments addressing other environmental issues (e.g. addressing pollution of land and water, deforestation, climate change, water use or flood protection). If an instrument addresses both biodiversity and other aspects of environmental protection, please indicate this using a cross-reference to your answer to Question 2.

Legislation Policy

Details of the measure(s)

Many regulations such as the endangered species act, clean water act, etc.

Impact on animal genetic resources management

No impact on AnGR.

Future needs

None identified.

4. Overall development of the livestock sector

Note: This question relates to broad strategic-level instruments addressing the livestock sector as a whole, such as national livestock development strategies or laws. Instruments related to specific aspects of livestock development should be described under other questions as and where relevant.

Legislation Policy

If provisions are in place or under development do/will they include:

Particular provisions aimed at supporting livestock keeping in harsh production environments

Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, favourable access to credit or livestock services, facilitation of market access).

Legislation Policy

Particular provisions aimed at supporting large-scale, high external input or export-oriented production systems or supporting management practices associated with such systems

Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, subsidized inputs, favourable access to credit or livestock services, support for infrastructure development or mechanization).

Legislation Policy

Details of the measure(s)

Impact on animal genetic resources management

No AnGR impact.

Future needs

None identified.

5. Management of and access to rangelands or other grazing lands

Legislation Policy

Details of the measure(s)

Public grazing lands use is controlled by various departments.

Impact on animal genetic resources management

No impact on anGR.

Future needs

None identified in relation to AnGR

6. Establishment of livestock farms or holdings

Note: This question relates to planning rules related to the size, location, ownership, registration, etc. of livestock farms or holdings.

Legislation

Policy

Details of the measure(s)

Impact on animal genetic resources management

None.

Future needs

None.

7. Establishment and operation of civil society organizations in the livestock sector

Note: Instruments specifically related to organizations focused on breeding (genetic improvement) activities are covered in Section 1 (Question 5.2). Please use the present question to provide information on instruments of a more general nature (e.g. related to the operation of cooperative societies or community organizations).

Legislation

Policy

Details of the measure(s)

Civil society organizations are free to form without governmental mandate.

Impact on animal genetic resources management

None.

Future needs

None.

8. Participation of livestock keepers in decision-making related to the development of the livestock sector

Legislation

Policy

Details of the measure(s)

Producer organizations are often consulted in the development of policies concerning their industries.

Impact on animal genetic resources management

No negative impact.

Future needs

None identified.

9. Prevention, preparedness and response to natural or human-induced disasters

Legislation

Policy

If instruments are place or under development, do/will they include any provisions specifically targeting:

Animal genetic resources

Note: For example, measures targeting the protection of at-risk breeds.

Legislation

Policy

Livestock in general

Legislation

Policy

Details of the measure(s)

No comment.

Impact on animal genetic resources management

None.

Future needs

None.

SECTION 5: ADDITIONAL INFORMATION

Please provide information on any aspects of your country's legal and policy framework that affect animal genetic resources and their management but are not covered by any of the questions above.

No comment.

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