

Violation of livestock brand act a big deal

Written by Gothenburg Times
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On Sept. 4, the five members of the Nebraska Brand Committee (NBC), reaffirmed its position that violation of Nebraska's Livestock Brand Act is a big deal and warrants increased enforcement, as well as stiffer penalties upon conviction.

The committee is comprised of at least three active cattlemen and at least one active cattle feeder.

The NBC was created by the Legislature to protect Nebraska brand and livestock owners from the theft of livestock through established brand recording, brand inspection and livestock theft investigation.

More than 70 years ago, when the Nebraska Brand Committee was created, Nebraska's livestock industry and the Nebraska Legislature apparently considered the brand law enforcement problems to be so serious to the state's agricultural economy to deem such violations as Class II Misdemeanor crimes. Such a crime carries a maximum penalty of 6 months imprisonment or \$1,000 fine or both.

Nebraska's Livestock Brand Act mandates that when cattle are sold inside the boundaries of the Brand Inspection Area, a brand inspection for ownership is required at time of sale.

The purpose of this statute is for a third party to establish true and correct ownership on the cattle being offered, recovering any stray animals on the consignment and returning them to their rightful owner or owners, recovering any stolen cattle, and transferring the title of the cattle to the buyer. This also holds true in a large part to the mandatory brand inspection required when cattle are being removed from Nebraska's Brand Inspection Area.

If these precautions and regulations are not followed, then the industry is in jeopardy of sustaining a very substantial loss, NBC officials said. Relative to the recovery of stray or missing cattle, in the past 5 years, NBC brand inspectors recovered through ownership inspection 9,066 head of cattle valued at \$7,872,918.54 for 3,574 producers. NBC criminal investigators, the executive director and committee members determined ownership for the rightful owner of an additional 2,073 head of cattle valued at \$1,758,173.08.

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Of the theft, fraud and associated livestock crimes prosecuted, NBC criminal investigations realized 15 successful felony and misdemeanor convictions involving 412 head of cattle valued at \$338,166.73 with an additional three cases awaiting criminal charges or trial involving 113 head of cattle valued at \$83,432.63.

Cattle production in Nebraska is the state's largest industry and has a multiplied impact of more than \$6 billion in cattle sales each year and deserves to be protected under the full extent of the law.

From Jan. 1, 2008, through Dec. 31, 2012, the Nebraska Brand Committee received 458 reports of violations against the Livestock Brand Act. These alleged violations ranged from selling/buying cattle without brand inspection, leaving the brand inspection area without inspection, use of an unrecorded nebraska brand, no transportation permit, to failure to report an estray.

Any person who violates any provision of the Livestock Brand Act is guilty of a Class II misdemeanor unless another penalty is specifically provided for such violation. Given the aforementioned impact and the associated enforcement issues, the Livestock Brand Act should act as a deterrent to protect brand and livestock owners, as well as their livelihood in the form of their livestock.

There are a number of safeguards to minimize the threat of livestock theft. They include:

Frequently count and check your herd, but do not establish a pattern that could be monitored by someone bent on stealing your property

Lock all gates and loading facilities with a strong chain and padlock system

Maintain good fences and do not leave portable panels and corrals near roads or highways

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Properly brand all cattle with a duly recorded livestock brand

Post signs on your property indicating your livestock are branded and can be identified and

Do not broadcast your comings and goings over the coffee cup in a public place.

Producers should immediately notify your local brand inspector, criminal investigator and/or the local sheriff of all cattle that have strayed, are missing or may have been stolen.