2026 POLICY GUIDES

Brand Inspection

Issue

Since its passage in 1941, the Nebraska Livestock Brand Act has evolved, often as the result of the program's funding needs and oversight challenges. Those affected—producers, feeders, policy makers and other stakeholders — are often passionate about the significance of the Act's purpose and the effectiveness and continued relevance of the program.

During Nebraska's 109th Legislature, public hearings, Brand Committee meetings and introduced legislation brought Brand Act discussions to the forefront of agricultural policy. While changes were ultimately implemented, more debate is on the horizon. In order to be prepared for continued reformation, the membership should evaluate current Farm Bureau policy that impacts livestock owners under the Nebraska Livestock Brand Act.

Background

The Nebraska Livestock Brand Act was passed in 1941 with the purpose of ensuring identification and preventing theft of livestock in Nebraska. This same legislation created the Nebraska Brand Committee for the sole purpose of carrying out the Act, recording brands, conducting inspections and investigating theft. As part of its responsibilities, the Brand Committee registers and monitors brands, inspects cattle sold and transported and investigates reports of potential theft or fraudulent sales. Qualifying livestock within the brand inspection area, encompassing the western two-thirds of the state, is subject to inspection. Inspections can occur at livestock markets, private sales and slaughterhouses, ranches and feedyards within the brand inspection area and upon request east of the line. Registered feedlots are allowed to conduct inspections during reasonable times of the day, whereas other producers can only hold inspections during daylight hours.

In January of 2026, two new bills were introduced with differing purposes. The first sought to solidify the financial viability of the program through increased fees, and the second's aim was to essentially dissolve the program in favor of a voluntary statewide program that did not require inspections. After several contentious bill hearings and much negotiation, the 2026 legislative session ended with the following policy effective summer 2026:

- Increased the number of Brand Committee voting members from five to seven, with:
  - » One member from each of five defined brand inspection area districts (five members),
  - » One member who operates a cattle feeding operation, and
  - » One person who operates a livestock auction market within the brand inspection area;
- Increased the maximum renewal fee dollar amount from $200 to $400,

- Increased the maximum per head inspection fee from $1.10 to $1.50,
- Implemented a $30/inspection travel surcharge,
- Provided that RFL's are subject to 25% of the per head inspection fee for non-RFLs per thousand head capacity or average annual inventory,
- Created an expectation of up to two annual audits for an RFL of up to 10% of the lot files of the cattle on feed as of the date of the audit with more audits possible if anomalies are found and/or the Brand Committee requests it,
- Created exceptions to inspections into backgrounding lots or registered feedyards in certain instances,
- Created the new designation of a registered dairy heifer development facility,
- Exempted cattle inspections for sale from or purchase into a qualified dairy, and
- Added qualified dairies to the RFL model with a registration fee of 25% per one thousand head capacity or average annual inventory.

The Brand Committee, which will be newly appointed in late August, met in June and raised the per head inspection fee to $1.40 and the brand renewal fee to $200.

Farm Bureau Policy

BRAND INSPECTION (2023). We support the work of the Brand Committee and believe the Committee should have the fee authority necessary to adequately fund its programs. Nebraska's brand inspection law should be broadened to encompass the entire state.

We recognize the need for a registered feedlot inspection program and believe an equitable fee structure should be developed to continue the program. We do not support an exemption from fees for feedlots participating in the program.

All female dairy animals from all farms who hold an active permit to sell milk should be exempt from Nebraska state brand laws unless they are being sold for meat production. All calves under the age of 30 days born from female dairy animals on farms who hold an active permit to sell milk in the state of Nebraska be exempt from Nebraska brand laws.

We support the state developing a policy for equitable and efficient transference of cattle across the brand inspection area line providing no change of ownership exists.

Questions

- What is an equitable fee schedule, and how is this fee schedule fair and appropriate for all producers in Nebraska?
- The brand inspection area was created in 1941 and specifically incorporated western Nebraska as an area that most benefited from the program. Does a statewide brand inspection area benefit feedlots and cow-calf producers equitably and in a way that benefits all universally across the state? Should Nebraska Farm Bureau continue to advocate for extending the brand inspection area statewide?

- A coded agency or departmental program is one that receives budgetary funds from and has stringent reporting requirements through the state's Department of Administrative Services. Currently the Brand Committee is a self-funded, independent entity that is not responsible to the state. Should the Brand Committee be a coded agency under the administration?
- Currently, Nebraska Farm Bureau policy supports exemption of inspection for female dairy animals as part of a permitted operation unless they are sold for meat production. Should the exemption from inspection extend to heifer development operations that may not be permitted for milk production?