



P.O. Box 150 Watkins Glen, NY 14891 607-583-2225
P.O. Box 1065 Orland, CA 95963 530-865-4617

November 25, 2005

Mike Johanns
Secretary of Agriculture
Farm Bill
1400 Independence Avenue, SW
Washington, DC 20250-3355

RE: 2007 Farm Bill

Dear Secretary Johanns:

I wish to submit comments for consideration by the USDA in developing its recommendations for the 2007 Farm Bill. I am writing on behalf of Farm Sanctuary, the largest US non-profit organization dedicated to the rescue and protection of farm animals.

I will respond to the six questions posed in the *Federal Register* notice of June 17, 2005 (Vol. 70, No. 116) soliciting comments for the Farm Bill.

Question #1: How should farm policy be designed to maximize US competitiveness and our country's ability to compete effectively in global markets?

Consumers have indicated a strong interest in how farm animals are treated. Although concern for farm animal welfare is a relatively new concept in the US, it is well established in other countries. During the course of the past two decades the US has fallen far behind many other countries in setting standards for farm animal welfare and in prohibiting factory-farming practices shown to be inhumane.

The most striking difference between national animal welfare standards exists between members of the European Union and the United States. As you are no doubt aware, the EU and the US have the biggest bilateral trading and investment relationship on the planet, with our global trade representing nearly 40% of world trade. Disparities in farm animal welfare measures between the US and other countries, particularly the EU, have the potential to place US producers at a competitive disadvantage.

In the past 20 years the EU has adopted a number of regulations and directives to protect farm animals. Some of these laws are listed in the attached table comparing EU and US laws affecting farm animals. As can be seen from the table, no comparable US law exists for 13 of the 14 EU animal welfare directives listed. The slaughter of livestock (cattle, pigs, sheep, goats) is the only area where the US has enacted an animal protection law comparable to that of the European Union. Although US industry has developed guidelines that cover a few of the practices,

for the most part these guidelines are voluntary in nature, not enforced or monitored, and far inferior to the provisions of the EU directives.

This disparity in farm animal welfare standards has the potential to impact US animal agriculture in several ways:

1. **Multilateral and Bilateral Trade Agreements** – Although trade agreements dealing specifically with animal welfare are not yet a reality, the European Commission has stated its intention to incorporate welfare standards in the bilateral veterinary agreements already in place with countries like Canada, New Zealand and the United States. In the 1997 trade agreement between the EU and New Zealand, for example, New Zealand agreed to specifically certify compliance with EU animal welfare standards concerning stunning and slaughter.
2. **World Trade Organization Negotiations** – The EU has lobbied for the inclusion of non-trade concerns, including food labeling, food safety, environmental protection and animal welfare, in WTO negotiations. In June 2000 the EU submitted a proposal to the WTO on animal welfare and trade in agriculture. The proposal highlighted that animal welfare is an emerging trade issue and that there are several ways of addressing it within the WTO framework. One of those ways is to provide “green box” subsidies to offset the additional costs producers may bear in adhering to higher standards in the particular area in question, such as animal welfare. Through its Common Agricultural Policy, the EU has already required its producers to more fully comply with environmental, animal welfare, food safety and food quality regulations in order to receive direct government payments.
3. **Food Labeling** – Consumers have expressed a desire to receive additional information about how food products are produced on the product label. Increased use of mandatory or voluntary labeling by foreign producers, indicating their compliance with certain animal welfare standards, will put US producers at a competitive disadvantage unless the standards here are raised to a comparable level.
4. **World Animal Health Organization (or OIE)** – The OIE plays a key role in international trade negotiations and veterinary agreements. One of the aims of OIE is to establish internationally recognized welfare standards and, in furtherance of this goal, in May 2005 the OIE approved four sets of animal welfare recommendations – for slaughter, killing for disease control, transport by land and transport by sea. Current US law does not meet the recommended standards in any of the four areas. The most obvious deficiencies are lack of a humane slaughter law for birds, lack of any laws or even a written policy dealing with humane killing for disease control, and a transport law that has been applied only to rail travel and not to transport by truck, the mode of conveyance for nearly all farm animals. It is very conceivable that these deficiencies will, at some point in the future, negatively impact US agricultural trade.

We believe that international trade will force the US to enact meaningful protections for farmed animals. Moreover, it should be a source of extreme embarrassment to the USDA that the US lags so far behind virtually every other developed country in taking steps to ensure the humane treatment of animals used for agriculture.

The 2007 Farm Bill provides an opportunity for the US to begin the process of closing the gap with its international trade partners on the issue of animal welfare. Farm Sanctuary strongly urges the

USDA to propose the elimination of some of the factory farming practices shown to most negatively affect the health and welfare of animals, including the use of gestation crates for sows, veal crates for calves and battery cages for laying hens. Other immediate priorities include extending humane slaughter protection to birds and applying transport limits to conveyance by truck.

Question #2: How should farm policy address any unintended consequences and ensure that such consequences do not discourage new farmers and the next generation of farmers from entering production agriculture?

US farm policy has already had negative consequences, intended or not, on family farmers and the ability of new generations of farmers to enter and remain in agriculture. Farm policies of the past decade and more have benefited large corporations, with family farms faced with the decision to either grow bigger and adopt industrial farming methods or sell out.

According to statistics from the National Agricultural Statistics Service, the total number of farms in the US has declined from 2,215,871 in 1997, to 2,128,982 in 2002 and 2,113,470 in 2004. Loss of small farms has been experienced by all animal agriculture industries. Between 1997 and 2002, the number of hog operations declined 37%; the number of dairies declined 26% and the number of beef cattle operations dropped 11%. While the number of farms has decreased, factory farms have been growing in size, cramming thousands of animals in small spaces with little or no access to sunlight, fresh air and normal movement. It is estimated that 54% of farmed animals in the US are now concentrated on only 5% of livestock operations.

Consolidation and vertical integration of animal agriculture industries has forced farmers to work as low-paid hired hands for corporate food giants that control markets by both owning the animals and setting the prices paid for them. Corporate food companies shift costs down to the contract farmers who have little choice but to bear them. These contractual agreements between farmers and corporations have removed the profitability and independence once experienced by small family farmers in the US. USDA statistics reveal that 90% of the nation's meat birds are now being raised under contract, along with 60% of hogs, 53% of dairy products and 21% of beef cattle.

US farm policy should be redesigned to support the survival of family farms and to reverse the trend toward consolidation of animal agriculture.

Question #3: How should farm policy be designed to effectively and fairly distribute assistance to producers?

US agricultural policy includes a variety of producer subsidies. For example, US dairy subsidies include direct producer payments, price supports (purchase programs), subsidized exports and federal milk marketing orders. Unfortunately, current policy dealing with some of these subsidies supports, and even promotes, corporate factory farming operations that mistreat animals and pollute the environment.

Societal values and US competitiveness in global markets would be served by withholding subsidies from operations that fail to meet animal welfare and environmental standards. In the example of dairy, subsidies should not be provided to any producers that use practices shown to cause serious harm to animals. This means that dairies that fail to provide regular access to pasture for grazing, or

dock the tails of cows, or use bovine somatotrophin to increase production would not receive any type of government support.

Question #4: How can farm policy best achieve conservation and environmental goals?

Large confined animal feeding operations contaminate the water with excess nutrients, pathogens and agricultural chemicals. Waste runoff kills fish and threatens biodiversity. According to the US Fish and Wildlife Service manure runoff has been identified as the source of contamination of fisheries along 60,000 miles of our nation's streams. Moreover, according to the Environmental Protection Agency, the groundwater in 17 states is impaired by manure from animal feedlots. In addition, a variety of human health problems have been associated with impaired air and water quality resulting from the intensive confinement of large numbers of animals.

US farm policy has encouraged the growth of large-scale farming operations by funding the development of means to handle large volumes of animal waste. For example, USDA scientists have developed a process that can remove phosphorus from hog production wastewater and turn it into a liquid crop fertilizer. USDA has also funded research into processes to convert hog waste into biodiesel fuel. Smithfield Food's Circle Four hog operation in Utah, one of the largest of its kind in the country, is attempting to use waste from tens of thousands of hogs to produce diesel fuel.

Providing a solution to the problem of managing animal waste removes one of the only deterrents to large-scale factory farming. It protects the business interests of corporate animal feeding operations, but does not solve the massive environmental, health and economic problems experienced by rural communities where these factory farms are located. US farm policy can help achieve environmental goals by setting minimum space allowances for animals, thereby both improving animal welfare and reducing the size of farming operations and the magnitude of the problems they create.

Question #5: How can rural and farm programs provide effective assistance in rural areas?

Factory-scale farms have serious negative socioeconomic impacts on rural communities. As mentioned above, health problems are associated with air pollution and contaminated water from manure runoff. Research has also shown that factory farms diminish the rural quality of life by affecting social relationships within the community.¹

A study performed by Illinois State University concluded that factory farms hinder economic growth in rural areas.² Negative economic impacts include decreased business revenues as a result of the tendency for larger operations to purchase their supplies from farther away. A University of Minnesota study found that local farm expenditures by animal feeding operations decreased as the size of the operation increased.³ Rural communities must also bear the cost of damage to roads and erosion caused by heavy truck traffic associated with large feeding operations. Although a factory

¹ Wing S & Wolf S. 2000. Intensive livestock operations, health and quality of life among East North Carolina residents. *Environmental Health Perspectives*; 110:387-391. For review, see also Flora J, et al. 2002. Social and community impacts. In Iowa State University and University of Iowa Study Group, Iowa Concentrated Animal Feeding Operations Air Quality Study. Iowa City, IA: University of Iowa Printing Service.

² Gomez M & Zhang L. 2000. Impacts of Concentration in Hog Production on Economic Growth in Rural Illinois: An Econometric Analysis. Presentation to the American Agricultural Economics Association annual meeting.

³ Chism J & Levins R. 1994. Farm spending and local selling: How do they match up? *Minnesota Agricultural Economist*; 67:1-4.

farm may add to tax revenues of a community, multiple smaller operations could likely produce the same or greater tax benefit.⁴

Large animal feeding operations cause job displacement. While large operations may employ more workers than smaller operations, the loss of small farms may result in more jobs being lost than created. Factory farms also negatively affect property values. Research conducted by Pennsylvania State University found that the establishment of a medium- or large-scale factory farm near a residential area lowers nearby property values by more than \$1,800.⁵ Having a traditional farm on the same property actually increases nearby property values.⁶ Similar studies conducted in Iowa⁷ and Missouri⁸ have produced comparable results.

US farm policy can assist rural communities by supporting more sustainable and humane agriculture and by ending government subsidies and other types of assistance to large-scale animal feeding operations.

Question #6: How should agricultural product development, marketing and research-related issues be addressed in the next farm bill?

Farm Sanctuary recently conducted a review of animal agriculture research projects performed and/or funded by the USDA. Following are the main findings from the review:

1. Less than 2% of currently funded projects in animal agriculture research address animal well-being. The remaining 98% is aimed at supporting the agriculture industry by increasing production and profitability and/or decreasing costs.
2. Research projects identified as being for the purpose of animal welfare/well-being frequently cite objectives others than welfare including food safety, waste management and international trade.
3. Few of the current well-being projects address animal welfare only, without regard to production. The impression is given that modifications in current practices are acceptable only if they both improve welfare and increase productivity.
4. Some projects propose to solve welfare problems by changing the nature of the animals themselves instead of the nature of the environmental conditions or management practices causing the problem.

⁴ Weida W. 2001. Pollution Shopping in Rural America: The Myth of Economic Development in Isolated Regions. Report for GRACE Factory Farm Project, New York.

⁵ Ready R & Abdalla C. 2003. The Impact of Open Space and Potential Local Disamenities on Residential Property Values in Berks County, Pennsylvania. Pennsylvania State University, University Park, PA. Staff Paper 363.

⁶ Ibid.

⁷ Herriges J, Secchi S & Babcock B. 2003. Living with Hogs in Iowa: The Impact of Livestock Facilities on Rural Residential Property Values. Center for Agricultural and Rural Development, Iowa State University, Ames, IA. Working Paper 03-WP 342.

⁸ Hamed M, Johnson T & Miller K. 1999. The Impacts of Animal Feeding Operations on Rural Land Values. A report presented to the Saline County Study Steering Committee. Community Policy Analysis Center, University of Missouri, Columbia, MO.

5. In many cases, government-funded projects appear to be working at cross-purposes, i.e. public money is being spent to fund research into animal welfare problems that are exacerbated by the application of findings from research projects to increase production, also funded by the government.

Instead of supporting genuine animal well-being research, USDA has spent an enormous amount of federal monies to fund research to increase production and promote technologies, such as genetic engineering, that cause animal suffering and are opposed by a large segment of the public. Even in situations where USDA research has yielded findings with the potential to benefit animal welfare, little has been done to apply the findings. For example, despite the fact that USDA research has shown that mutilations like debeaking and tail docking cause animal suffering, the agency has failed to take any action to prohibit the practices or to penalize producers that participate in them.

In an article in the March 2005 issue of *Agricultural Research*, Lewis Smith, USDA-Agriculture Research Service National Program Leader for Animal Production and Protection, acknowledged that the scientists working in his section have proven modern agricultural practices are "unduly stressing animals." He goes on to say: "[R]esearch has proved that practices like trimming off a third to half of a bird's beak or cutting off a dairy cow's tail is too stressful to be condoned. It has shown this with not just one but several objective measures all pointing to the same conclusion: These common practices cause animals lasting pain. That is unacceptable under the ethics of animal care." Yet these practices continue.

US farm policy should be redesigned to ensure that federal money is not being spent to fund research promoting increased production. Instead funding should be allotted to research that promotes sustainable agriculture, which protects rural communities and the environment and provides for a higher level of animal welfare than is currently found on the nation's factory farms.

Thank you for considering our comments. We hope the USDA will take advantage of the opportunity provided by the 2007 Farm Bill to eliminate support to factory farms and prohibit practices viewed by American and foreign consumers as unacceptable.

Sincerely,



Gene Bauston
President, Farm Sanctuary

Attachment (Table: Comparison of EU and US Laws Protecting Farm Animals)

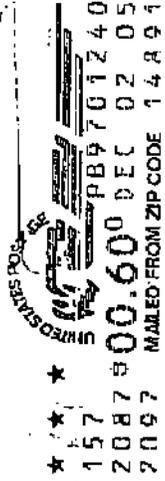
Comparison of EU and US Laws Protecting Farm Animals

PRACTICE	EUROPEAN UNION	UNITED STATES
Housing for Sows & Gilts	Directives requiring minimum floor space; access to rooting materials; use of tethers prohibited 2006, crates prohibited 2013 (91/630/EEC, 2001/88/EC, 2001/93/EC)	No federal law or industry guidelines setting requirements for space or rooting materials, or restricting use of tethers & crates
Housing for Pigs	Directives requiring minimum floor space, access to materials for rooting & play (91/630/EEC, 2001/93/EC)	No federal law or industry guidelines setting requirements for space, rooting materials
Housing for Calves	Directives setting minimum space requirements, prohibiting use of crates after 8 wks of age as of 2006 (91/629/EEC, 97/2/EC, 97/182/EC)	No federal law or industry guidelines prohibiting use of crates; voluntary industry guidelines setting minimum space requirements for "veal" crates
Housing for Egg-Laying Hens	Directive setting minimum space requirements, prohibiting use of battery cages as of 2012 (99/74/EC)	No federal law or industry guidelines restricting use of cages; voluntary industry guidelines setting minimum space requirements for cages
Housing for Meat Chickens	Proposed Directive setting minimum space requirements (COM/2005/221)	No federal law on housing for chickens; voluntary industry guidelines setting minimum space requirements
Weaning of Pigs	Directive setting minimum weaning age of 4 weeks (2001/93/EC)	No federal law or industry guidelines setting minimum weaning age for pigs
Use of Growth Hormones in Cows	Directive prohibiting use of bovine somatotrophin (BST) in dairy cows since 2000 (98/58/EC)	No federal law or industry guidelines restricting use of BST in dairy cows
Road Transport: Space Allowances	Directives setting minimum space requirements (91/628/EC, 95/29/EC)	No federal law or industry guidelines setting minimum space requirements
Road Transport: Journey Times, Feed & Water Intervals	Directives setting maximum journey times and feed/water intervals (91/628/EC, 95/29/EC)	No federal law or industry guidelines setting maximum journey times or feed/water intervals*, with exception of equine transport to slaughter (9 CFR 88) (* USDA has refused to apply 28-Hour Law (49 USC 80502) to transport by truck.)
Road Transport: Young Animals	Regulation prohibiting transport of very young animals unless journey less than 100 km (EC/1/2005)	No federal law or industry guidelines prohibiting transport of very young animals, with exception of equine transport to slaughter (9

		CFR 88)
Slaughter: Livestock	Directive on protection of animals at time of slaughter or killing (93/119/EC)	Federal law on humane slaughter of livestock (7 USC 1901-1906); voluntary industry guidelines on same
Slaughter: Meat Birds	Directive on humane slaughter/killing covers meat birds (93/119/EC)	No federal law on humane slaughter of meat birds; voluntary industry guidelines on slaughter of chickens
Killing of Hens & Hatchery Chicks	Directive on humane slaughter/killing covers laying hens & hatchery chicks (93/119/EC)	No federal law or industry guidelines on humane slaughter/killing of laying hens & hatchery chicks
Killing for Disease Control Purposes	Directive on humane slaughter/killing covers killing for disease control purposes (93/119/EC)	No federal law or industry guidelines on mass killing for disease control

FARM SANCTUARY

P.O. Box 150, Watkins Glen, NY 14891-0150 • 607-583-2225



OFFICE OF THE EXECUTIVE
SECRETARIAL, USDA

2005 DEC -8 A 9:43

Mike Johanns
Secretary of Agriculture
1400 Independence Avenue
Washington, DC 20250-3355

RE: FARM BILL



2025072355

