

**Animal Welfare Policy  
from  
America's Left Coast**

*Ria de Grassi, MS  
Director, Animal Health & Welfare  
California Farm Bureau Federation  
Farm Animal Council of Saskatchewan  
Annual Farm Animal Welfare Conference  
8 December 2011*

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**The Numbers**

- CA #1 farm state for >50 years
- CA population: >37M in 2010. Most populous.
- City of Sacramento (capital): >466k in 2010 (1.48 mil in county)
- >34M Canadians in 2011; ~1M in SK



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### Introduction

- Circumstances leading to 2008 citizen's initiative, Proposition 2
- Circumstances & strategies leading to passage
- Fallout pre-January 1, 2015 operative date
- Issues & developments affecting policy

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### Proposition 2

- Short title Prevention of Farm Animal Cruelty Act
- Purpose To prevent the mistreatment of farm animals around the state and to extend their lives
- Amends Health and Safety Code, Div. 20, §25990

✓ Calves raised for veal

✓ Egg-laying hens

✓ Pregnant pigs

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### The initiative states...

25990. Prohibitions. In addition to other applicable provisions of law, a person shall not tether or confine any **covered animal**, on a **farm**, for all or the majority of any day, in a manner that prevents such animal from:

- (a) Lying down, standing up, and **fully extending his or her limbs**; and
- (b) **Turning around freely**




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### Mandates on hen housing...

25991. Definitions.

(f) "Fully extending his or her limbs" means fully extending all limbs without touching the side of an enclosure, including, in the case of egg-laying hens, fully spreading both wings without touching the side of an enclosure or other egg-laying hens.

(i) "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side on an enclosure.




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"...turning in a complete circle without any impediment..."




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### Mandates on enforcement...

25993. ENFORCEMENT. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in the county jail for a period not to exceed 180 days or by both such fine and imprisonment.



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### Proposition 2

**VOTES FOR AND AGAINST  
NOVEMBER 4, 2008, STATE BALLOT MEASURES**

State Ballot Measure Number	For		Against	
	Votes	Percent	Votes	Percent
1A	6,680,485	52.70%	6,015,944	47.30%
<b>2</b>	<b>8,203,789</b>	<b>63.50%</b>	<b>4,731,738</b>	<b>36.50%</b>
3	6,984,319	55.30%	5,654,566	44.70%
4	6,220,473	48.00%	6,728,478	52.00%
5	5,155,206	40.50%	7,566,783	59.50%
6	3,824,372	30.80%	8,559,647	69.20%
7	4,502,235	35.50%	8,155,181	64.50%
8	7,001,984	52.30%	6,401,482	47.70%
9	6,682,465	53.90%	5,728,968	46.10%
10	5,098,666	40.50%	7,464,154	59.50%
11	6,095,033	50.90%	5,897,655	49.10%
12	7,807,630	63.60%	4,481,196	36.40%

2008 Campaign Expenditures: \$10,314,025 vs. \$8,795,907

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### What Led to Initiative

- Years of legislation
- Initiative success in FL (2002), AZ (2006)
- Failure of 6 proposals to qualify as initiatives in 2003, then failure of industry to strategize
- Growing urbanization, public sympathy




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CA auction yard Jun '91

Federally inspected AZ abattoir Oct '99

Ontario, CA livestock market '06?



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### What Led to Passage

- Hallmark/Westland, 7 wks in daily news
- Charismatic farmer out in criticism of the ballot initiative, they would be subject to undercover investigation and sued.”
- Early supporters of the initiative, they would be subject to undercover investigation and sued.”
- Opponents of the initiative, they would be subject to undercover investigation and sued.”
- Farmer sued.”
- Public opinion polls showed the strategy was inadequate → animal care

– David Wolfson (Milbank Tweed law firm)




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### Initiative Text Vague

- No explicit regulatory language or authority
- Doesn't state what type of hen housing is compliant
- Jurisdictional responsibility unclear. Department of Health and Human Services typically enforces Health & Safety Code. District Attorney in case of Prop 2?




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### Challenges

- If cages allowed: no guidelines/standards on how to alter existing cages or design and construct new farms
- If cage-free allowed, stocking densities and space required/hen not stated
- Producers can't obtain loans to expand and build new facilities given lack of clarity




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## Fallout

- Energized activists (e.g., campaign to promote veganism)
- Generated media stories
- Motivated politicians to re-tool Senate ag committee, introduce more legislation, support *Food, Inc.* movie
- Prompted proposal threats in other states



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## Triumvirate (Ruling Body of 3)



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“Florez has been an outspoken leader in the areas of clean air...food safety, animal rights, ...”

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### Pacelle



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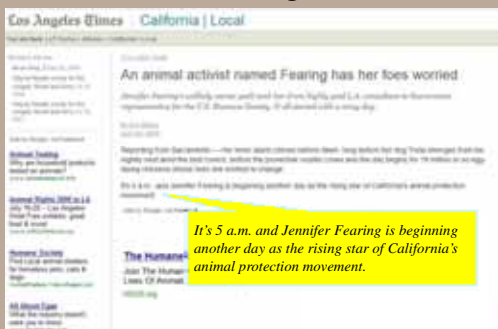
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### Fearing



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## Update - California

- 2009: Bill banned dairy cow tail docking
- 2009: Down animal law from 1994 expanded
- 2010: Bill passed: out-of-state eggs sold in CA must be Prop 2 compliant by 2015
- 2010: Senator Florez “Animal Protection Caucus”
- 2010: Florez bill creating animal abusers registry
- 2010: Federal food program Prop 2-like bill




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## Update

- 2009: Michigan Prop 2-like legislation
- 2009: Ohio initiative creating standards board
- 2010: HSUS initiative drive to amend Ohio law
- 2010: Indiana legislation creating new authority for Board of Animal Health
- 2011: HSUS/United Egg Producers “agreement” to support passage of federal legislation on enriched cages




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## Update



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## Issues

- Animal handling and practices lacking defense
- Activist “investigations” via employment resulting in exposés
- Activist groups as humane societies



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Home » News » Ethical: Animal welfare cannot be an afterthought

By **DAVID BRANT** | December 28, 2010 | 10:42 AM EST | 11

**Ethical: Animal welfare cannot be an afterthought**

It's important to understand that companies and producers can't just say 'bad apple' and move on because—to consumers who have seen these videos again and again—there are no bad apples anymore. The bad apple, to consumers now, is the industry.

It has to stop because it doesn't benefit the consumer, it just ticks a box. It's important to understand that companies and producers can't just say 'bad apple' and move on because—to consumers who have seen these videos again and again—there are no bad apples anymore. The bad apple, to consumers now, is the industry.

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**Times Argus** | Vermont's News Source

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**Animal abuse alleged Slaughterhouse ordered closed**

By **DAVID BRANT** | The Associated Press | Friday, December 31, 2010

**TOOLEY**

**WASHINGTON** — Federal and state officials closed a Vermont slaughterhouse Friday after an animal rights group produced a video depicting dogs and calves being dragged, kicked, and repeatedly shocked with electric prods.

The move against Slaughterhouse Packing House Inc. at Grand Isle came after the Humane Society of the United States provided authorities with an undercover video it produced showing the abuses.

The group's chief operating officer, Michael Mackinnon, called the treatment of the calves the "most egregious" treatment of animals it had documented since a similar undercover investigation of a slaughtering plant in California last year, one tied to the largest meat recall in U.S. history.

U.S. Agriculture Secretary Tom Vilsack issued a statement Friday implicating both the Vermont slaughterhouse operators and an inspector from the USDA's Food Safety and Inspection Service. He said the agency's inspector found one cow suffering a criminal investigation.

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### Issue: Animal Handling



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The image shows a document for Senate Bill No. 119. The text includes: "AMENDED IN ASSEMBLY JULY 6, 2009", "AMENDED IN ASSEMBLY JUNE 23, 2009", "AMENDED IN SENATE MAY 4, 2009", "AMENDED IN SENATE APRIL 13, 2009". The bill is titled "SENATE BILL No. 119" and was introduced by Senator Flores. The subject is "An act to amend Section 1076 of the Penal Code, relating to animal abuse." The bill text discusses amending Section 1076 to prohibit docking of cattle tails and to require the application of the humane method of docking.

Source: JAVMA, 2002, 28

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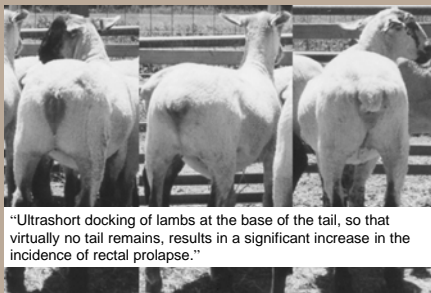
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### Issue: Practices



“Ultrashort docking of lambs at the base of the tail, so that virtually no tail remains, results in a significant increase in the incidence of rectal prolapse.”

Source: J. Anim. Sci. 2003, 81:2725-2732

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### Issue: Practices



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### Issue: Activists as Employees



April 2011

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**Cattle Industry Responding to Horrible Video Released by Anti Animal Ag Group Showing Dairy Calf Abuse**

Thu, 21 Apr 2011 5:37:05 CDT

**Undercover video: Panhandle cattle operation accused of beating cows to death**

by Travis Ratz

Posted: 04-20-2011 at 8:00 AM

**Cattle market prices dipped due to undercover video of calf abuse**

**AGRICULTURE INDUSTRY REPULSED BY ANIMAL ABUSE VIDEO**

Apr 22, 2011 8:08 AM, By Laura Stanton, WFAA Contributorial Editor

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**COMPASSION OVER KILLING**  
 A Glimpse Inside California Dairy Factory Farms  
 September 2011

Millions of cows and calves in the dairy industry are forced to live in filthy, fly-infested conditions




It's a far cry from the image of happy cows on green pastures the industry would like consumers to believe.

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Aug 2011

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**ATTACHMENT 3**  
**RECORDS TO BE PRODUCED**

- All documents reflecting, concerning, or relating to the development and implementation of Standard Operating Procedures relating to the care of animals at the dairy for the past three years.
- All documents reflecting, concerning, or relating to all procedures done on all dairy cows and calves for the past three years.
- All documents reflecting, concerning, or relating to implementation of procedures for handling, transport of all goats at the dairy for the past three years.
- All documents reflecting, concerning, or relating to implementation of training and protocols for the 1 records at the dairy for the past three years.
- All documents reflecting, concerning, or relating to implementation of training and protocols for the 1 records at the dairy for the past three years.
- All documents reflecting, concerning, or relating to implementation of all food safety plans at the dairy.
- All documents reflecting, concerning, or relating to implementation of procedures for the care of cows for the past three years.
- All documents reflecting, concerning, or relating to the development and implementation of programs for foot care at the dairy during the past three years.
- All documents reflecting, concerning, or relating to locomotion scoring at the dairy for the past three years.
- All documents reflecting, concerning, or relating to body condition scoring at the dairy for the past three years.
- All documents reflecting, concerning, or relating to hock assessments at the dairy for the past three years.
- All documents reflecting, concerning, or relating to animals euthanized at the dairy during the past five years.
- All documents reflecting, concerning, or relating to animals who became non-ambulatory at the dairy or in transport from the dairy to a slaughter house or auction house during the past five years.

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### Industry Intervention



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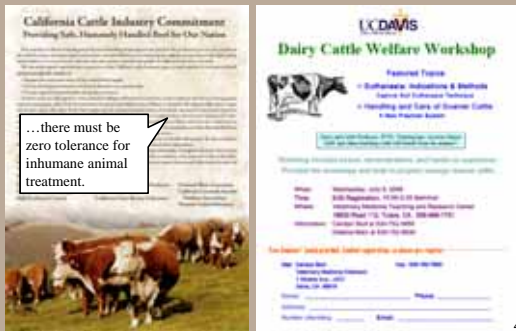
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### Industry Intervention



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### Animal Welfare Advisory Council

- Review issues related to animal ag
- Promote development of science-based recommendations to improve welfare of livestock & poultry
- Initially included: state vet, vet school dean, AVMA exec board chair, animal scientists



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Animal Welfare and Food Forum

*“Agriculture is being judged by its worst actor. This cannot be overcome by showing [or] promoting solely the best actors.”*

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## USFRA Movement

A number of groundbreaking **firsts**:

<p><b>One voice</b> Livestock and crop voices have <b>joined forces</b> at a deeper level than ever before</p>	<p><b>Engaging</b> First time today's agriculture will engage America in an <b>inclusive dialogue</b>, not a one-way conversation</p>	<p><b>Leading the conversation</b> <b>Setting the agenda</b>, not reacting to attacks</p>	<p><b>A long-term movement</b>, not a campaign The viability and leadership of the industry, not promoting one product or one moment in time</p>	<p><b>Entry to Popular Culture</b> Going <b>additional places</b> where today's influencers get their information</p>

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## USFRA's Strategic Objectives

- Increase share of voice in key media
- Provide information to policymakers, government officials
- Engage key customer decision-makers
- Work with leading national influencers to create partnerships
- Increase role of farmers & ranchers as the voice of animal and crop agriculture

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## Final Thoughts: 5 to Immunize

- Maintain a robust strategy to deal with outliers.
- Determine/fill data gaps. Implement findings.
- Consider other points of view. Critics are never 100% wrong about everything.
- Avoid actions consumers view as negative.
- Emphasize values shared with public.

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Questions?  
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rdegrassi@cfbf.com

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