

MASSACHUSETTS PREVENTION OF FARM ANIMAL CRUELTY ACT (S. 741)

REFILE

This bill received a favorable report from the Judiciary Committee during the 2011/2012 legislation. The bill was in Bills in 3rd Reading when formal session in July. Sponsor: Senator Hedlund.



WHAT WILL THIS BILL DO?

This bill simply prohibits the extreme confinement of certain farm animals in crates so small they cannot even turn around. It would prohibit two of the most notorious farm animal confinement systems: veal crates for calves and gestation crates for breeding pigs. It will protect our state's proud humane-minded family farming brand, protect our environment from concentrated waste and ensure the animals under our care have at least some protection from cruelty.



WHERE DOES THE PUBLIC STAND ON THIS ISSUE?

A Farm Bureau poll found that 95% of Americans believe that farm animals deserve to be well cared for. In today's political climate, 95% of Americans usually don't agree on anything. Yet, in spite of overwhelming support for the humane treatment of farm animals, cruel veal and gestation crates are still legal in Massachusetts. Four North Eastern states already made significant progress on this issue. Maine and Rhode Island passed laws banning the extreme confinement of pigs and calves, and recently the Vermont and New Jersey Senates overwhelmingly passed similar legislation. In recent months, major corporations also responded to the public's outcry to ban these extreme confinement systems. For example, McDonald's, Burger King, Wendy's, and even Oscar Mayer announced that they will phase out the use of gestation crates from their supply chain.

WHO SUPPORTS THIS BILL?

Forty Massachusetts farms and two local farm sanctuaries have endorsed this bill. It's also supported by a coalition of groups including the Massachusetts Sierra Club, MSPCA, Farm Forward, Winslow Farm Sanctuary, Maple Farm Sanctuary, the Humane Society of the United States, Farm Sanctuary, the American Society for the Prevention of Cruelty to Animals, Humane Society Veterinary Medical Association, World Society for the Protection of Animals, Animal Welfare Institute, Humane League, Western Massachusetts Animal Rights Advocates, Berkshires Votes for Animals and Humane USA-Massachusetts PAC.

WILL THIS LAW HAVE A FISCAL IMPACT?

No. This law is an amendment to the animal cruelty statute so there will not be any need for new regulations, additional bureaucracy or inspections. Enforcement will be complaint-based just like other incidents of animal cruelty.



HAVE OTHER STATES PASSED SIMILAR LAWS?

Yes. Rhode Island, Maine, Ohio, Colorado, Michigan, Oregon, Arizona, Florida, and California have all passed similar laws banning intensive confinement practices. Both the Vermont and New Jersey Senates also overwhelmingly passed legislation banning gestation crates.



WHAT PROBLEM DOES THIS BILL ADDRESS?

As we invite new livestock production into the Commonwealth, citizens simply want to ensure that these intensive confinement systems stay out. This act will protect our local brand of agriculture and level the playing field for our humane-minded family farmers who refuse to take short-cuts when it comes to animal husbandry.



In the U.S., millions of mother pigs and baby calves are kept in crates that immobilize them for the duration of their lives. To protect these animals, as well as family farmers and communities that become devastated by confined animal feeding operations, nine states already made these confinement devices illegal. Instead of dealing with the serious animal cruelty, pollution, and economic issues that are negatively associated with animal confinement operations, the Commonwealth has a tremendous opportunity to prevent these abuses before they happen. During the October 5, 2011 hearing a hog producer testified that she might want to start using gestation crates in the Commonwealth. Please don't let that happen. No animal should ever be forced into live in a crate so narrow she cannot even turn around.

HOW DOES THIS BILL SUPPORT PRIVATE SECTOR PROGRESS?

In 2012 alone, many of the most influential U.S. food companies responded to the public's concern for farm animal welfare and created policies that will eliminate gestation crates in their supply chains. That list includes McDonald's, Burger King, Wendy's, Kraft, Kroger, Safeway, Compass Group, Sodexo, Denny's, Sonic, Cracker Barrel, Carl's Jr., and Hardee's. Even many of the largest pork producers now have commitments to move away from gestation crates including Smithfield, Hormel, and Cargill. And the American Veal Association is calling on its members to eliminate the confinement of calves in crates due to the public outcry over the force immobilization of baby calves.

While progress in the private sector is encouraging, these companies can't eliminate gestation crates alone. Most of these companies are publicly traded and their shareholders are helping push them on this issue. Other companies that are privately held are refusing to act and it's difficult for citizens to motivate them to follow their competitors. Our legislators have a unique opportunity to stand by the largest food companies in the country and create a level playing field in this serious issue of animal cruelty. By creating a modest, minimum standard that mother pigs and baby calves should have enough room to at least be able to turn around, we can help protect the private sector's momentum in creating a more humane supply chain.

This legislation is best tool we have to prevent farm animal cruelty before it happens.

