



**Hearing Scheduled**  
**06/03/09 1:00pm**  
**State House**  
**Room A-2**

## **OPPOSE HB815 – An Act Prohibiting the Cruel Confinement of Certain Farm Animals (Rep. Richardson)**

Referred to the Joint Committee on Environment, Natural Resources & Agriculture

### **PROBLEM:**

Perception by people not involved in farming that farm practices are cruel.

### **HISTORY:**

Intensive farming methods have allowed ever-decreasing numbers of farmers to provide abundant, cheaper food for ever-increasing populations. The number-one priority of livestock producers is ensuring the health and well-being of their animals. This is for reasons both of compassion and of good business; farming is hard, dirty, and relatively low-paying work, but most farmers do it because they like animals. They also know firsthand that unhealthy, stressed animals do not produce or make a profit for their owners. Farm organizations fund research which constantly changes and updates the guidelines on how to manage farm animals, and consumer demand for organic and “kinder” alternatives has also led to changes. America provides itself and much of the world with the safest, most productive, and most affordable food in the world. However, animal rights extremists, who do not believe people should eat meat or own animals at all, are trying to force their philosophy on the rest of our society by spreading false publicity demonizing all uses and ownership of animals. They hope to dupe the public into passing laws based on uninformed, emotional reactions instead of sound science and professional knowledge. The sole purpose of the animal-rights farming laws is to reduce the amounts and raise the price of meat and dairy products to gradually eliminate them from our diet.

### **WHAT THIS BILL DOES:**

Prohibits cages for layer hens and pregnant pigs and small enclosures and short tie-ups for veal calves.

### **WHY YOU SHOULD OPPOSE:**

1. This law would make meat and eggs scarcer and more expensive, a hardship for low-income consumers.
2. We should not get in the habit of creating arbitrary, uninformed, and emotionally based regulations restricting an industry whose livelihood depends on the health and well-being of its animals, or tie the hands of researchers seeking improvements in animal welfare practices that provide us with plenty of safe, affordable food.
3. There are usually good reasons for farm practices which people outside the industry do not know about. Instead of using laws to dictate how unfamiliar industries must do business, let the farmers and the market decide. Consumers who are willing to pay more have already asked for meat raised in certain ways, and the market has responded by making it available, for a price.
4. Layer-hen cages were introduced because the chickens are LESS stressed when allowed to live in small, friendly groups than the only alternative housing that industry would use -- thousands of chickens crowded in giant, dusty, feces-ridden barns -- and everything is cleaner with wire cage floors. Removing the cages would not give the chickens any more room or freedom, but would subject them to cannibalism by other chickens; also, true free-range chickens suffer 50 to 100-percent annual losses from predators.
5. Pregnant pigs are generally crated only for a week before birth, and this bill restricts crating to the same period, so the bill doesn't actually change anything except paperwork and oversight issues for farmers.

### **FOR MORE INFORMATION:**

#### **Massachusetts Federation of Dog Clubs and Responsible Dog Owners**

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MsssFed 06/01/09

**HOUSE . . . . . No. 815**

The Commonwealth of Massachusetts

PRESENTED BY: Pam Richardson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act prohibiting the cruel confinement of certain farm animals.

Pam Richardson 6th Middlesex	Eugene L. O'Flaherty 2nd Suffolk
Steven J. D'Amico 4th Bristol	Stephen L. DiNatale 3rd Worcester
Jennifer M. Callahan 18th Worcester	Tom Sannicandro 7th Middlesex
Carl M. Sciortino, Jr. 34th Middlesex	William N. Brownsberger 24th Middlesex
Thomas P. Conroy 13th Middlesex	Christine E. Canavan 10th Plymouth
Cheryl A. Coakley-Rivera 10th Hampden	Paul McMurtry 11th Norfolk
Peter J. Koutoujian 10th Middlesex	

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

**AN ACT PROHIBITING THE CRUEL CONFINEMENT OF CERTAIN FARM ANIMALS.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by adding the following section:-- Section 105. (a) The purpose of this section, subject to exceptions and commencing January 1, 2015, is to prohibit the confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. (b) Notwithstanding any other provision of law, a person is guilty of unlawful confinement of a covered farm animal if the person tethers or confines any covered animal, on a farm, for all or the majority of any day, in a manner that prevents such animal from:

- (1) Lying down, standing up, and fully extending his or her limbs; and
- (2) Turning around freely.
- (c) This section shall not apply:
  - (1) During scientific or agricultural research.
  - (2) During examination, testing, individual treatment or operation for veterinary purposes.

(3) During transportation.

(4) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions.

(5) During the slaughter of a covered animal in accordance with the provisions of Chapter 94 , sections 139C and 139D of the General Laws, and other applicable laws and regulations.

(6) To a pig during the seven-day period prior to the pig's expected date of giving birth.

(d) For the purposes of this section:

(1) "Calf raised for veal" means any calf of the bovine species kept for the purpose of producing the food product described as veal.

(2) "Covered animal" means any pig during pregnancy, calf raised for veal, or egg-laying hen who is kept on a farm.

(3) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(4) "Enclosure" means any cage, crate, or other structure (including what is commonly described as a "gestation crate" for pigs; a "veal crate" for calves; or a "battery cage" for egg-laying hens) used to confine a covered animal.

(5) "Farm" means the land, building, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber; and does not include live animal markets.

(6) "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.

(7) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(8) "Pig during pregnancy" means any pregnant pig of the porcine species kept for the primary purpose of breeding.

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

(e) 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.  
SECTION 2. This chapter shall take effect January 1, 2015.