

March 6, 2023

Senate Committee on Natural Resources
Senator Jeff Golden
Senator Fred Girod
Senator Floyd Prozanski
Senator Kathleen Taylor

Re: ***SENATE BILL 85: Requires State Department of Agriculture to study confined animal feeding operations***

Dear Committee Members:

Foster Farms is proposing 13+ million chickens across four large Concentrated Animal Feeding Operation (CAFO) sites on the banks of the North Santiam River. I strongly urge the committee to prevent this proposal by Foster Farms by supporting passage of SB 85, which specifically requires in Section 1 that:

“ . . . it is in the best interest of Oregonians to prohibit the proliferation of industrial confined animal feeding operations until the impacts of industrial confined animal feeding operations, including . . . animal welfare, have been adequately studied and addressed through laws and rules.”

(Emphasis added.)

Although SB notes the many other important impacts from CAFO sites, I write here only to specifically address the *animal welfare* concerns and to urge the committee to carefully review the scientific evidence of how these operations can affect the chickens to be caged and managed at the proposed site. SB 85 specifically requires in Section 4 that:

“In consultation with the Department of Environmental Quality, Oregon State University, the Water Resources Department and any other organizations the State Department of Agriculture decides to consult, the State Department of Agriculture shall report to a committee or interim committee of the Legislative Assembly related to natural resources, . . . and to the Governor, at least twice on the impacts . . . (and):

2) The reports must be evidence-based and must include, but need not be limited to, the following:

(a) An assessment of all of the impacts described in section 1 of this 2023 Act.

(b) Recommendations concerning laws or rules that are needed to ensure, with a high level of probability, that any significantly adverse impacts . . . would be prevented.

(Emphasis added.)

Consequently, SB would succinctly require that the Governor and Legislature consider the available scientific evidence regarding the animal welfare of chickens at the proposed CAFO site.

Briefly, here is what is well known about the effect of CAFO sites on the animals:

- The physical welfare of the animals in these facilities is compromised. CAFO chickens are typically kept in cramped and unsanitary conditions to maximize profits and lower costs for the CAFO, with the chickens having little access to fresh air or natural light. CAFO cause lameness, respiratory issues, and infections for the animals.
- The chickens do not have adequate dirt to peck in or root into. The chickens must walk through their own waste, and an entire warehouse smells very strongly of ammonia from all the chicken waste. This can lead to a host of health problems and increased susceptibility to disease.
- Some factory farming practices, such as tail docking, beak trimming, and castration, are performed without pain relief. These procedures can cause pain, discomfort, and distress for the animals.
- The breeding of some chickens to be maximally profitable, has resulted in the chickens being raised quickly to be heavier and meatier, which results in the chicken having severe chronic pain, joint and movement problems, painful lesions on their feet, lung and heart problems, and other issues, even where conditions are improved. These heavier chickens are the result of forcing their growth abnormally and cruelly solely to fit market conditions.
- The conditions in the CAFO can cause physical discomfort, stress, and behavioral problems.
- CAFO prevent animals from engaging in natural behaviors, such as foraging, grazing, or nesting. This can lead to boredom, frustration, and aggression.

Animal behaviorists can inform law-makers of these animal welfare concerns posed by CAFO sites via scientific “evidence-based” studies/reports that are required under SB 85. Animal ethology is quite advanced at this time, and our understanding of animal perception, sensory and neurological systems, pain and stress, discomfort, natural behaviors of foraging, grazing and nesting, as well as social needs, is far beyond the traditional and conventional view of non-human animals as dumb, mechanical, and tolerant of an alien environment imposed on them in captivity by humans for strictly human purposes.

Scientific research has firmly established that each animal species has their own way of perceiving and knowing the world via their individual “umwelt” – their specific neurological and physical biological system that has evolved within that animal. Frustration and alienation of an animal’s umwelt will greatly impact that animal’s welfare, leading to disease, stress, and behavioral dysfunction. Animals do suffer greatly when they are placed in an environment that is inconsistent and repressive/suppressive to their natural inclinations, perceptions, behavioral instincts and abilities to act accordingly. The umwelt of a chicken is unique, and unnatural conditions in the CAFO results in pain and misery for these animals. The committee needs to firmly understand the natural behavior and the umwelt of chickens before they allow these sensitive animals to be subjected to the conditions of a CAFO. A CAFO is not a farm. Oregon law makers should not remain uninformed about the conditions for the captive animals. SB 85 will require that lawmakers are informed.

HAWTHORNE LAW * PAUL NEWTON, JD, CIP * 503-327-5479

SB 85 is an advanced, civilized, intelligent and humane measure to ensure that the available scientific evidence that articulates and supports the animal welfare of chickens is considered before they are subject to the conditions of a modern but cruel and barbaric CAFO.

There is much more scientific evidence regarding the animal welfare impacts that law makers should consider before CAFO permitting goes forward. I would urge swift passage of SB 85.

Sincerely,

A handwritten signature in blue ink, appearing to be 'PN', with a long horizontal stroke extending to the right.

Paul Newton, JD, CIP
Attorney at Law
pnewton.atty@gmail.com