

## Memorandum in Support

### COMMITTEE ON ANIMALS AND THE LAW

Animals #6

May 19, 2017

S. 4718

By: Senator Boyle

A. 1341

By: M. of A. Rosenthal

Senate Committee: Agriculture

Assembly Committee: Agriculture

Effective Date: 24 months after it shall have become a law

**AN ACT** to amend the agriculture and markets law, in relation to the confinement of animals for food-producing purposes.

**LAWS & SECTIONS REFERRED TO:** Section 353-g of the Agriculture and Markets Law.

### THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION

This bill would amend the Agriculture and Markets Law by adding a new section (353-g) which makes it unlawful to confine a pig during pregnancy, a calf raised for veal, or an egg-laying hen in too small an area where it cannot lay down, stand up or fully extend its limbs and turn around freely. In effect, it phases out veal crates, pig gestation crates, and hen battery cages. Current New York State law does not address this aspect of the confinement of animals for food producing purposes.

The need for Section 353-g has become more evident in recent years as factory farms and large food producing animal facilities have focused less on animal husbandry and more on making a profit at any cost. Despite the fact that food producing animals are sentient beings, they are treated as commodities. The harsh confinement of calves, pigs, and hens within crates and cages that are too small for them to turn around causes extensive and substantial physical and psychological harm. In addition, these conditions can lead to the animal developing food-borne illnesses that may affect the general public.

Each year in the United States, 9 billion farm animals are slaughtered for meat, eggs, and milk -- 285 animals per second. Some of the conditions in which these animals are kept, and the treatment they animals receive while alive is shocking. Calves raised for veal are taken away from their mothers within the first few days after birth and placed in

veal crates where they are tethered and unable to move. They stay there for eighteen to twenty weeks, until they are fattened up enough for slaughter. Pregnant pigs are placed in gestation crates for almost the entirety of their four-month pregnancy. The four-month period of confinement during pregnancy means that they are confined in these gestation crates almost their entire life since they are impregnated again soon after having their previous litter. Hens are kept in battery cages, no bigger than the size of an 8.5 by 11 piece of paper, where they cannot even spread their wings. Hens are kept in these cages as long as they can produce eggs. Once they are no longer fertile, they are slaughtered.

The conditions these sentient beings are exposed to cause both physical and psychological harm. Physically, the animals hurt themselves trying to escape or trying to move in ways that are not physically possible. Psychologically, they suffer extreme stress and fear. These animals are unable to do most of their innate and natural behaviors. The lack of physical and mental stimulation also takes its toll on these calves, pigs and hens.

Because of these crowded, stressful, and unhygienic conditions, many of these food producing animals end up with food-borne illnesses and infections, such as salmonella in chickens, which is transferred to the food product consumed by the general public. These food-borne illnesses can be very dangerous to human beings, especially infants, small children and the elderly.

In the United States, eight states have banned veal crates (AZ, CA, CO, KY, ME, MI, OH, and RI); nine states have banned gestation crates (AZ, CA, CO, FL, ME, MI, OH, OR, and RI); and five states have banned battery cages (CA, MI, OH, OR, and WA). There are also several countries that have banned these inhumane containers, including the entire European Union, which banned veal crates in 2007 and gestation crates in 2013. In addition, many private companies and restaurants have taken a stand against veal crates, gestation crates and battery cages.

It is time for New York State to take a stand against these inhumane practices and enact a law banning veal crates, gestation crates, and battery cages.

This law becomes effective 24 months after enactment.

While the Committee supports this bill, we do have two suggested amendments:

- 1) Amending the bill to provide that the Department of Agriculture and Markets promulgate regulations, concurrently with the effective date of the law, that detail the types and dimensions of containers for each respective animal that would be acceptable under this law.
- 2) While we have no objection to the effective date of the bill (24 months after enactment), we recommend that an additional 12 months be provided for producers to come into compliance with the law (a 12-month phase-in period).

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** the passage and enactment of this legislation.