



ANIMAL WELFARE

Background

USDA is the primary Federal agency responsible for animal welfare issues. The Animal and Plant Health Inspection Service (APHIS) enforces the Animal Welfare Act (AWA) in order to protect certain animals from inhumane treatment and neglect. USDA, through the Food Safety and Inspection Service (FSIS), is also responsible for verifying the humane treatment of livestock in slaughter plants. The Humane Methods of Slaughter Act (HMSA), the Federal Meat Inspection Act, and the Poultry Products Inspection Act provide FSIS statutory authority in this area.

The AWA requires persons to be licensed or registered with USDA if they breed certain warm-blooded animals for commercial sale, exhibit them to the public, use them in research, or transport them commercially. Animals protected by the AWA must be provided with veterinary care and animal husbandry that meets or exceeds specified minimum standards. The 2002 farm bill amended the definition of “animal” in the Animal Welfare Act to specifically exclude birds, rats of the genus *Rattus*, and mice of the genus *Mus*, bred for use in research. Current AWA regulations also exclude horses not used for research, animals farmed for food, fur, or fiber, and other farm animals.

The 2002 farm bill also amended the AWA by outlawing the interstate transport or foreign commerce of animals for the purpose of animal fighting. It also increased the maximum penalties for violations of this section of the AWA. Forty-eight States now prohibit cockfighting (exceptions—Louisiana and New Mexico), and all 50 States prohibit dog fighting.

In fiscal year (FY) 2005, there were over 10,000 AWA licensees and registrants. APHIS utilizes a risk-based inspection system, and its inspectors conduct unannounced inspections of licensed and registered facilities to ensure that they continue to meet AWA standards. APHIS Animal Care inspectors conducted more than 18,000 inspections in FY 2005, including precicensing inspections and compliance inspections of registered and licensed facilities. APHIS also conducted 575 formal investigations into alleged AWA violations in FY 2005, which resulted in 391 cases submitted for civil administrative action. In that same timeframe, APHIS resolved 87 AWA cases with civil penalty stipulations, and another 82 cases were resolved by an administrative law judge. These cases resulted in a total of \$1.1 million in fines.

APHIS also enforces the Horse Protection Act (HPA) and regulations governing the humane transport of horses and other equines to slaughter. The HPA was established in 1970 to

eliminate soring—the use of pain-provoking methods to enhance a horse’s gait. APHIS has the authority to impose civil and criminal charges against individuals violating the HPA.

Another major component of USDA animal welfare responsibility is the humane handling and slaughter of livestock. FSIS Public Health Veterinarians and inspection program personnel at all federally inspected livestock slaughter plants ensure compliance with the HMSA. This law provides enforcement authority to ensure that Kosher and other methods of ritual slaughter (e.g., Halal) are humane. In February 2004, FSIS implemented electronic Humane Activities Tracking (HAT) to document inspection activities that ensure livestock are humanely handled and provide FSIS with readily available information on these activities, including the time spent by inspection program personnel to ensure that humane handling and slaughter requirements are met.

In September 2004, FSIS published a *Federal Register* notice encouraging establishments to use a systematic approach to ensure that they are meeting the requirements of the law during handling and slaughter. Establishments are to identify and minimize circumstances that may cause livestock excitement, discomfort, or accidental injury.

General Opinions Expressed

- Many comments expressed concern for the welfare of farm animals.
- A number of comments made the following observations:
 - (a) The U.S. has fallen behind many other countries in setting minimum standards for the welfare of animals on farms, in transport, and at slaughter.
 - (b) USDA should propose eliminating certain farming practices, such as battery cages for laying hens and crates for pregnant sows and veal calves.
 - (c) Current subsidies benefit large producers that subject animals to intensive confinement, mutilation, and adverse handling techniques.
 - (d) USDA should propose setting minimum space allowances that provide animals with the freedom to perform natural behaviors and that also protect the environment by reducing pollution and waste disposal problems.
- Several comments noted that:
 - (a) Humanely raised and processed beef, pork, and chicken are in demand worldwide.
 - (b) Overhauling animal husbandry methods would allow for truly humane development and slaughter practices for animals.
 - (c) USDA should strictly enforce standards of care, such as free-range grazing and humane treatment, for farm animals.
 - (d) Animal welfare standards superior to that of the European Union should be adopted.
 - (e) USDA should initiate a program of subsidies to farmers who comply with welfare standards developed by humane organizations and eliminate subsidies to producers that participate in practices shown to cause pain and suffering to farm animals.
- Several comments expressed support for product labels which reflect humane handling methods.
- Some comments expressed support for humane slaughter methods.
- Other comments were against the killing of animals.

Detailed Suggestions Expressed

- Opposition was expressed to S. 1139, the Pet Animal Welfare Statute (PAWS). A distinction should be made between the hobbyist, not-for-profit, and the for-profit organizations.
- The U.S. should meet the World Organization for Animal Health's standards on animal welfare to avoid negative impacts on trade.
- Basic and applied research should be expanded into the "horrific conditions in the slaughterhouses and the farms."
- Humane slaughter should be extended to cover all animals.
- Humane slaughter should be extended to cover birds.
- Humane slaughter should be extended to cover poultry, rabbits, and fur animals.
- Include poultry and fish in the Humane Methods of Slaughter Act.
- The 2007 farm bill should consider ways to support development of slaughter plants equipped to assure product integrity for consumers seeking to purchase food raised using humane and environmentally sound methods.
- Increase and enforce strict Government regulation of humane slaughter practices.
- Amend the current Federal horse slaughter legislation that does not take into consideration that some slaughter facilities cannot humanely euthanize the animals.
- A commenter requested more funds for educational materials to counter animal rights groups.