

RESOLUTION # 44

HUMANE STANDARDS AND ANIMAL HEALTH

1 **WHEREAS**, the New Jersey Department of Agriculture's Division of Animal Health
2 (DAH) is the primary agency charged in the state with ensuring the health of livestock
3 animals, since diseases in livestock can spread to other animals and, in some cases, to
4 humans; and

5 **WHEREAS**, a large part of that responsibility is ensuring that livestock coming into
6 New Jersey from other parts of the nation or the world does not also bring animal diseases
7 that could spread to animals already in the state; and

8 **WHEREAS**, the DAH must prepare to prevent diseases from entering the state, not
9 only via animals that may be imported to New Jersey, but also through wildlife that cannot be
10 controlled for testing; for example, the recent preparations to respond, if necessary, to Highly
11 Pathogenic Avian Influenza (HPAI) that is transmitted by wild waterfowl and has resulted in
12 the euthanasia of millions of birds in the Midwest and West, where those wild birds have
13 passed HPAI into poultry operations, but has not, to date, similarly impacted the East Coast;
14 and

15 **WHEREAS**, the Certified Livestock Inspectors within the DAH, or hired as outside
16 consultants, are, by law, the experts for humane treatment of livestock when an allegation of
17 cruelty or neglect is made against an owner of livestock, as those inspectors have expertise
18 that is not common among humane-law enforcement officers, or others, who may mistake
19 normal husbandry, an ill animal or biosecurity measures for mistreatment of animals, and
20 humane-law enforcement officers and others may jeopardize a farmer's livelihood or the
21 state's livestock population when they do not follow appropriate testing and biosecurity
22 protocols; and

23 **WHEREAS**, previous State Agricultural Conventions have seen livestock owners
24 complain about similar issues centered on livestock, and that the tenets of the regulations
25 regarding Humane Treatment of Domestic Livestock, N.J.A.C. 2:8 et seq. (herein referred to

26 as the “Humane Standards”) which offer a safe harbor to livestock owners in New Jersey if
27 they follow accepted livestock practices, are not always followed by animal-cruelty
28 investigators; and

29 **WHEREAS**, the New Jersey State Board of Agriculture has previously testified at
30 legislative hearings about the absolute need for DAH’s Certified Livestock Inspectors to be
31 involved in EVERY cruelty complaint involving livestock, in order to ensure that animals that
32 may be sick, and not subject to cruelty, are not removed from the property on which they
33 reside because such removal could risk spreading the disease they have; and

34 **WHEREAS**, it is vital that livestock farmers understand their rights, the role of the
35 DAH and how humane-law enforcement officers in a given location operate; and

36 **WHEREAS**, it is crucial for law enforcement officers to understand the vital role
37 played by DAH’s Certified Livestock Inspectors, and to understand that they must
38 immediately notify the Department of Agriculture’s Division of Animal Health for all cases at
39 the time a complaint is filed and before an investigation begins; and

40 **WHEREAS**, the Department, working with industry representatives, New Jersey
41 Farm Bureau, veterinarians, Rutgers University, and the New Jersey Agricultural Experiment
42 Station, wrote and adopted N.J.A.C. 2:8, which became the first regulations of their kind in
43 the country to address the humane care and keeping of domestic livestock; and

44 **WHEREAS**, the Department adopted the Humane Standards with amendments, as
45 prescribed by the New Jersey Supreme Court on July 30, 2008, following a challenge by the
46 New Jersey Society for the Prevention of Cruelty to Animals, among others, in which the
47 Standards were largely upheld; and

48 **WHEREAS**, the Department, working with industry representatives, New Jersey
49 Farm Bureau, Rutgers University, and the New Jersey Agricultural Experiment Station,
50 wrote and adopted N.J.A.C. 2:8, which became the first regulations of their kind in the nation
51 to address the humane care and keeping of domestic livestock; and

52 **WHEREAS**, the Department adopted the Humane Standards with amendments as
53 prescribed by the New Jersey Supreme Court on July 30, 2008, following a challenge by the
54 NJSPCA, among others, in which the Standards were largely upheld; and

55 **WHEREAS**, animal agriculture increasingly finds itself misunderstood by the public
56 largely removed from livestock agriculture and there exists activism of those who either
57 oppose animal agriculture altogether or object to certain science-based practices; and

58 **WHEREAS**, there is a need for food-animal veterinarians in New Jersey shown
59 through surveys done by the NJAES Board of Managers livestock committee; and there is a
60 need for more of these vets to serve operations in New Jersey to improve animal care; and

61 **WHEREAS**, the Rowan University School of Veterinary Medicine, the first such
62 program in New Jersey, and the 34th veterinary school in the nation, will open in New Jersey
63 with the first class being accepted in 2025; and

64 **WHEREAS**, the application of animal cruelty statutes without recognition of the safe
65 harbor provided by compliance with the Humane Standards and without consultation with
66 Certified Livestock Inspectors from the Department's Division of Animal Health (DAH) can,
67 and has, resulted in officers removing or trying to remove animals from farm premises and
68 charging livestock owners without any basis in law; and

69 **WHEREAS**, the risk of spreading disease is a vital reason why DAH veterinarians
70 and other trained personnel must be consulted by humane-law cruelty investigators before
71 considering the removal of any animals from a livestock owner's premises; and

72 **NOW, THEREFORE BE IT RESOLVED**, that we, the delegates to the 107th State
73 Agricultural Convention, gathered in Atlantic City, New Jersey, on February 9-10, 2022, do
74 hereby strongly urge the Legislature and the Governor to provide additional and appropriate
75 funding levels to the Department to allow the DAH to continue providing expert advice and
76 training to those tasked with humane-law enforcement and livestock owners regarding the
77 Humane Standards in cases where abuse and/or neglect are alleged but which also require

78 knowledge of animal husbandry, best management practices, animal diseases, diagnostic
79 testing and the practice of proper biosecurity measures.

80 **BE IT FURTHER RESOLVED**, that we require the New Jersey humane-law
81 enforcement community to follow the Humane Standards and work with the DAH when
82 assessing livestock so that better and more consistent decisions concerning law
83 enforcement are made, ensuring that appropriate animal husbandry, biosecurity and health
84 documentation are followed as part of every humane investigation.

85 **BE IT FURTHER RESOLVED**, that we urge the New Jersey State Attorney General
86 to require that all law enforcement personnel authorized to respond to animal cruelty
87 complaints comply with the rules set forth in the Humane Standards upheld by the Supreme
88 Court, including reporting cases involving livestock to the Division of Animal Health and
89 following proper biosecurity measures.

90 **BE IT FURTHER RESOLVED**, that we recognize the interest and concern within the
91 state and country about livestock handling and welfare and therefore support the services
92 provided by the Division of Animal Health in order to maintain pace with requests for field
93 investigations of alleged violations, and that we recognize the limitations currently faced by
94 the DAH in order to conduct field inspections that ensure compliance with the Standards.

95 **BE IT FURTHER RESOLVED**, that we urge humane-law enforcement personnel to
96 avail themselves of regular training regarding the Humane Standards, which the Division of
97 Animal Health has made a commitment to provide, in an effort to have humane animal
98 enforcement more accurately and consistently reflect the provisions of the Standards.

99 **BE IT FURTHER RESOLVED**, that law enforcement officials must understand that
100 they must immediately notify the Department of Agriculture's Division of Animal Health for all
101 cases involving livestock at the time a humane-treatment complaint is filed and before any
102 investigation begins.

103 **BE IT FURTHER RESOLVED**, that the Legislature and the Governor defer to the
104 existing NJDA Humane Standards N.J.A.C. 2:8 when and if any proposed legislation is
105 presented that could be in conflict with said rule.

106 **BE IT FURTHER RESOLVED**, that we we encourage the opening of the School of
107 Veterinary Medicine in the State of New Jersey to help with the need for food animal vets in
108 the state.

109 **BE IT FURTHER RESOLVED**, that we support legislation for veterinary medicine loan-
110 redemption programs, as well as a matching grant program provided through legislation for
111 vet students who practice livestock medicine in this state for a minimum of five years after
112 graduation.