

RESOLUTION # 17

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 to be the repository of knowledge
6 and expertise regarding livestock and animal-husbandry practices when livestock are the
7 focus of animal-cruelty complaints, as the general public often can misconstrue an accepted
8 livestock-raising practice as something they see as “inhumane”; and

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

17 **WHEREAS**, in the past year, the Division has hired a Chief Humane Officer to
18 oversee the division’s involvement in humane cases involving domestic livestock, which are
19 governed by the regulations known collectively as the Humane Treatment of Domestic
20 Livestock, N.J.A.C. 2:8 et seq. (herein referred to as the “Humane Standards”); and

21 **WHEREAS**, previous State Agricultural Conventions have seen livestock owners
22 raise similar issues centered on livestock, and that the tenets of the regulations regarding the
23 Humane Standards, which offer a safe harbor to livestock owners in New Jersey if they
24 follow accepted livestock practices, are not always followed by animal-cruelty investigators;
25 and

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

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

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

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

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

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

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

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

57 **WHEREAS**, from time to time, including currently, legislation is introduced to address
58 humane-law issues without recognizing the primacy and authority of the Humane Standards
59 and the expertise of the Certified Livestock Inspectors and treating livestock as if they were
60 domestic pet animals can lead to the risk of spreading disease, which is a vital reason why
61 DAH veterinarians and other trained personnel must be consulted by humane-law cruelty
62 investigators before considering the removal of any animals from a livestock owner’s
63 premises.

64 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 108th State
65 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 8-9, 2023, do
66 hereby strongly urge the Legislature and the Governor to provide additional and appropriate
67 funding levels to the Department to allow the DAH to continue providing expert advice and
68 training to those tasked with humane-law enforcement and livestock owners regarding the
69 Humane Standards in cases where abuse and/or neglect are alleged but which also require
70 knowledge of animal husbandry, best management practices, animal diseases, diagnostic
71 testing and the practice of proper biosecurity measures.

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

77 **BE IT FURTHER RESOLVED**, that we urge the New Jersey State Attorney General
78 to require that all law enforcement personnel authorized to respond to animal cruelty

79 complaints comply with the rules set forth in the Humane Standards upheld by the Supreme
80 Court, including reporting cases involving livestock to the Division of Animal Health and
81 following proper biosecurity measures.

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

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

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