**RESOLUTION # 30**

**HUMANE STANDARDS AND ANIMAL HEALTH**

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

**WHEREAS**, a large part of that responsibility is to be the repository of knowledge and expertise regarding livestock and animal-husbandry practices when livestock are the focus of animal-cruelty complaints, as the general public often can misconstrue an accepted livestock-raising practice as something they see as “inhumane”; and

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

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

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

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

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

**WHEREAS**, it is crucial for law enforcement officers to understand the vital role played by DAH’s Certified Livestock Inspectors, and to understand that they must

immediately notify the Department of Agriculture’s Division of Animal Health for all cases at the time a complaint is filed and before an investigation begins; and

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

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 109th State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 7-8, 2024, do hereby strongly urge the Legislature and the Governor to provide additional and appropriate funding levels to the Department to allow the DAH to continue providing expert advice and training to those tasked with humane-law enforcement and livestock owners regarding the Humane Standards in cases where abuse and/or neglect are alleged but which also require knowledge of animal husbandry, best management practices, animal diseases, diagnostic testing and the practice of proper biosecurity measures.

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

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

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

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

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

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