



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003
awionline.org phone: (202) 337-2332 fax: (202) 446-2131

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FARM Animal Care Technical Writing Group
Animal Health & Well-Being Committee
National Milk Producers Federation

RE: Draft Animal Care Standards for Version 4.0 of FARM Animal Care

To Whom It May Concern:

I wish to submit comments, on behalf of the staff and supporters of the Animal Welfare Institute (AWI), on draft Version 4.0 of the FARM Animal Care program. AWI sincerely appreciates the opportunity to provide its comments and recommendations on the upcoming edition of the US dairy industry's animal care standards.

We offer the following recommendations on the "proposed items for consideration" posted on the FARM website (nationaldairyfarm.com).

Facility Management

1. Protection from adverse weather

Recommended standard: "All age classes of animals held outdoors have access to natural or manufactured shelter, including areas of shade. Calves held outdoors have suitable shelter, including a clean, dry bedded lying area and an enclosure that protects animals from exposure to wind and rain and is elevated off the ground if located in an area where water or mud collects."

Rationale for recommended standard: Although the proposed Version 4.0 manual includes a general requirement that all age classes of animals are protected from heat and cold, no standards address the protection of outdoor-housed animals from extreme weather. Blizzards, droughts, and other kinds of extreme weather claim the lives of thousands of cows every year in the United States. In 2016, for example, winter storms resulted in the deaths of 30,000 dairy cows in Texas and New Mexico.¹ In addition, earlier this year, 1,800 dairy cows perished in a winter storm in Washington that cost dairy farmers approximately \$4 million.² According to data reviewed by the Humane Farming Association, during a recent 5-year period, the US Department of Agriculture's (USDA) Livestock Indemnity Program compensated producers for nearly 300,000 livestock deaths (not including poultry). Though some deaths from adverse weather are unavoidable, every precaution possible should be taken to ensure that dairy cows, and calves, in particular, are safe from extreme weather events. Adequate shelter for cows and calves housed outdoors is necessary to prevent excessive exposure to sun, wind, rain, and snow.

Note: In 2017, the Animal Recovery Mission (ARM), an animal rescue organization in Florida, released video of animal care practices and environmental conditions at four dairies in Okeechobee, FL. At one of the dairy operations, ARM documented calves housed outdoors

without proper protection from adverse weather, including rain and high temperatures and humidity. On the video, calves are shown lying and standing in knee-deep mud and water. If FARM is unfamiliar with these investigations, we encourage you to view the videos (available at <https://www.animalrecoverymission.org/burnham-dairy-farm/>). We hope FARM will ensure that language is provided in the revised FARM animal care manual to prevent situations similar to those depicted.

2. *Emergency preparedness*

AWI supports the Version 4.0 requirement of a written Emergency Action/Crisis Plan. However, we believe that the standard would be more effective if it addressed specific common emergencies, such as barn fires. According to data compiled by AWI, over 4,000 cows have died in barn fires nationwide since 2013.³ This year alone, cows have died in more than a dozen barn fires. For example, in January, an electrical malfunction in a barn in New York killed over 200 dairy cows; 14 dairy cows perished in a barn fire in Connecticut in February, and a barn fire in March in Minnesota killed an additional 41 dairy cows.⁴ The National Fire Protection Association and several university agricultural extension services recommend that farms implement fire protection procedures to prevent this loss of life.⁵ Consequently, AWI is proposing two new standards designed to minimize the number of dairy cow deaths due to barn fires.

Recommended standard #1: “To prevent barn fires, the facility is inspected annually by a local fire department, insurance company, or electrical contractor to identify electrical hazards, structural problems, and maintenance issues.”

Rationale for recommended standard #1: AWI found that for the years 2013-2017, heating devices were the leading cause of barn fires, followed closely by other types of electrical malfunction.⁶ Annual inspections performed by fire safety experts can drastically reduce the occurrence of barn fires by preemptively identifying problems, such as malfunctioning or misplaced heat lamps, buildup of dust or debris near light sources, and faulty electrical wires. Barn inspections are a simple step farmers can take to prevent fires, and are recommended by the Ontario Ministry of Agriculture, University of Wisconsin-Madison Agriculture Extension, Vermont Veterinary Medical Association, Michigan State University Agriculture Extension, and Drovers Magazine, among others.⁷

Recommended standard #2: “The facility is equipped with ABC-type fire extinguishers at every exit, and smoke or heat detectors connected to a monitoring system capable of immediately alerting local police or fire departments.”

Rationale for recommended standard #2: To protect human and animal life, it is imperative that barns are equipped with warning signals, as well a means of extinguishing fires once they have started. ABC-type fire extinguishers are very effective at putting out smaller fires and controlling larger fires until emergency services arrive. These extinguishers are recommended by the National Fire Protection Association as well as industry groups like the Indiana Certified Livestock Producers Program.⁸ However, if no farm operators or employees are present in the barn at the time of a fire, extinguishers alone will not be effective. In this scenario, smoke or heat detectors connected to a monitoring system can alert authorities immediately, allowing firefighters more

time to extinguish a barn fire and get animals out safely. Leading agricultural authorities such as Rutgers University and the Penn State Extension recommend that smoke or heat detectors be installed in barns, and that they be connected to a monitoring service.⁹

3. Housing of pre-weaned calves

Recommended standard: “Calves are housed in pairs or groups no later than eight weeks of age.”

Rationale for recommended standard: The proposed FARM Version 4.0 includes the following standard: “All age classes of animals have housing that allows for the ability to easily stand up, lie down, adopt normal resting postures and have visual contact with other cattle without risk of injury.” AWI views this standard as woefully inadequate, particularly concerning the housing of calves. As the dairy industry is well aware, the American public—including consumers of dairy products—holds a very negative view of the intensive confinement and social isolation of farmed animals. The current FARM Version 3.0 manual describes the benefits of group housing of calves and acknowledges there is little evidence to support claims that individual housing enhances calf health and welfare.¹⁰ In fact, significant scientific evidence exists in support of group housing, including a recent USDA study showing no adverse effects on health or performance and some benefits on social behavior for very early (day 3) grouping of calves.¹¹ However, the dairy industry has yet to apply this science to its animal care practices. According to the most recent national survey of the dairy industry, only 15% of pre-weaned heifers are housed in groups inside barns, while 30% are individually housed in hutches/pens inside barns, and 40% are individually housed in hutches/pens outdoors.¹² Given the widespread prevalence of individual confinement in the United States, AWI appreciates that a phase-in period may be necessary to accomplish the transition to group housing for pre-weaned calves. We hope to see FARM Version 4.0 move in that direction.

Animal Management

1. Access to outdoor exercise

Recommended standard: “All age classes of animals are permitted a minimum of four hours of outdoor exercise daily, weather permitting. The outdoor area is clean, dry, and provides a smooth, natural walking surface with limited concrete or asphalt.”

Rationale for recommended standard: The benefits of exercise and outdoor access to dairy cattle are well documented in scientific literature. One study found significantly higher levels of mortality and culling in cows confined to stalls with no opportunity for exercise or outdoor access.¹³ Another study found that indoor-housed cows value access to pasture as highly as access to fresh feed.¹⁴ Yet another study demonstrated that, when given a choice, cows generally spend about half of the day outdoors, with a strong preference for pasture at nighttime.¹⁵ AWI commends the FARM program for proposing a standard of daily exercise, weather permitting (although the standard does not stipulate that the exercise is outdoors, we assume that is the intention). However, to ensure that the standard actually enhances animal health and welfare, we recommend adding a minimum exercise period, along with provisions that address the quality of the outdoor area. Allowing outdoor surfaces to be of a hard material, such as concrete or asphalt, negates many of the benefits of outdoor exercise.

Calf Management

1. Humane handling of calves

Recommended standard: “Calves are not picked up or carried by the tail, skin, ears, or limbs. Calves are never thrown, dropped, or dragged, and electric prodding devices are not used.”

Rationale for recommended standard: According to the World Organization for Animal Health (“OIE”) chapter on dairy cattle welfare, “electric prods should not be used on calves.”¹⁶ In addition, Canada’s Code of Practice for the Care and Housing of Dairy Cattle¹⁷ and the Ohio Livestock Care Standards¹⁸ prohibit the use of electric prods on calves. The Ohio state regulations also prohibit throwing, dropping, or dragging animals, as well as picking up and/or carrying animals by the ears or tail.¹⁹

2. Pain mitigation (branding)

Recommended standard: “The least invasive method of identification is used. Freeze branding and branding with a hot iron are avoided where alternative identification methods (e.g., electronic identification or ear tags) exist.”

Rationale for recommended standard: Research has demonstrated that both hot-iron and freeze branding cause significant pain and distress to cattle.²⁰ In fact, the American Veterinary Medical Association recently recommended to the USDA that it place a high priority on the development of alternatives to hot-iron branding.²¹ While the current FARM manual does address this issue, it identifies the pursuit of alternatives to branding as a “best practice” and not a formal requirement. The OIE dairy welfare code states: “Freeze branding and branding with a hot iron should be avoided where alternative identification methods exist (e.g., electronic identification or ear tags).”²² We recommend that the FARM program add similar language to its manual.

Note: AWI supports Version 4.0’s proposed language requiring pain mitigation for physical alterations “in accordance to the signed protocol by the Veterinarian of Record.” We are cognizant of the complications resulting from the lack of approved pain relief for farm animals in the United States, and the necessity of relying on “extra label” use of unapproved drugs. AWI strongly endorses FARM’s interest in gathering data to determine the prevalence of extra-label drug use in the US dairy industry, and encourages the industry to do everything in its power to help facilitate the availability of appropriate pain relief for dairy cattle.

Non-Ambulatory Animals

1. Humane euthanasia

Recommended standard: “Euthanasia criteria include ‘animals suffering from untreatable conditions’ and ‘animals not responding to treatment after an appropriate period.’”

Rationale for recommended standard: The draft Version 4.0 language states: “Criteria are established for immediate action and a timely decision to euthanize non-ambulatory animals.” We believe this language is too vague to be effective. Animals who are suffering from a serious, untreatable condition should be promptly euthanized in all situations. In addition, in many cases,

animals who are not responding to treatment also should be euthanized. Euthanasia is specifically required for both of these circumstances under the Canadian Code of Practice for the Care and Handling of Dairy Cattle.²³

AWI commends the FARM program for soliciting comments from interested stakeholders on the next version of its animal care standards. We hope that you will give our recommendations serious consideration. If you require additional information or clarification, please contact me by phone at (202)446-2146, or by email at dena@awionline.org.

Sincerely,



Dena Jones
Director, Farm Animal Program

¹ B Blaney, Texas, New Mexico producers lose more than 30K dairy cows, Statesman, August 28, 2016. <https://www.statesman.com/news/20160828/texas-new-mexico-producers-lose-more-than-30k-dairy-cows>.

² P McCausland, Over 1,800 dairy cows killed in freak blizzard in Washington State, hurting struggling farmers, NBC News, February 13, 2019. <https://www.nbcnews.com/news/us-news/over-1-800-dairy-cows-killed-freak-blizzard-washington-state-n971371>.

³ Animal Welfare Institute, Barn Fires: A Deadly Threat to Farm Animals, October 2018. <https://awionline.org/content/barn-fires>.

⁴ Barn fire kills more than 200 cows in Oneida County, Rochester First, January 7, 2019. <https://www.rochesterfirst.com/news/local-news/barn-fire-kills-more-than-200-cows-in-oneida-county/1689922548>. J Shay, Dairy cows killed in East Hampton barn fire, The Middletown Press, February 1, 2019. <https://www.middletownpress.com/middletown/article/Firefighters-battle-barn-fire-in-frigid-cold-13577139.php>. S McCoy, Owners plan to rebuild after fire destroys barn and cattle in Harding, Morrison County Record, March 9, 2019. https://www.hometownsource.com/morrison_county_record/owners-plan-to-rebuild-after-fire-destroys-barn-and-cattle/article_d33767e2-4052-11e9-aabb-8fea0fb282c2.html.

⁵ National Fire Protection Association, Barn Fire Safety Checklist, 2018. <https://www.nfpa.org/-/media/Files/Public-Education/Resources/Safety-tip-sheets/BarnSafetyChecklist.pdf>.

⁶ Animal Welfare Institute, Barn Fires: A Deadly Threat to Farm Animals, October 2018. https://awionline.org/sites/default/files/press_release/files/FA-AWI-Barn-Fire-Report-2018.pdf.

⁷ Ontario Ministry of Agriculture, Food, and Rural Affairs, Barn Fire Prevention, January 2, 2019. <http://www.omafra.gov.on.ca/english/engineer/barnfire/fireprevention.htm>. T Wilkinson, M Purschwitz, R Schuler, C Skjollas, University of Wisconsin Extension, Farm Hazard Inspection Checklist. <https://learningstore.uwex.edu/Assets/pdfs/A3619.pdf>. K Shaw, Barn Fires: 30 seconds is All You Have, Vermont Veterinary Medical Association, October 24, 2017.

<https://netforum.avectra.com/public/temp/ClientImages/VTVMA/beebe55f-6d6d-4c19-8ed9-2748ff9f50c6.pdf>. K Ockert, Prevent and prepare for barn fires, Drovers Magazine, January 2, 2019. <https://www.drovers.com/article/prevent-and-prepare-barn-fires>.

⁸ Indiana Certified Livestock Producers Program, Section 4: Emergency Planning. National Barn Fire Safety Checklist, Barn Fire Safety Checklist. <https://www.nfpa.org/-/media/Files/Public-Education/Resources/Safety-tip-sheets/BarnSafetyChecklist.pdf>.

⁹ M Margentino, K Malinowski, S Malone, Fire Prevention and Safety Measures Around the Farm, Rutgers Cooperative Extension, July 2009. https://esc.rutgers.edu/fact_sheet/fire-prevention-and-safety-measures-

around-the-farm/. Penn State Extension, Fire Safety in Horse Stables, May 19, 2016.

<https://extension.psu.edu/fire-safety-in-horse-stables>.

¹⁰ National Dairy Farm Program, Animal Care Reference Manual, 2017, p. 53.

¹¹ USDA Agricultural Research Service, Early grouping of dairy calves, LBRU Update, Summer 2017, p. 9.
<https://www.ars.usda.gov/ARSUserFiles/50201500/LBRU%20Update%20Summer%202017%20final.pdf>.

¹² USDA-APHIS, National Animal Health Monitoring System, Dairy Cattle Management Practices in the United States, 2014, p. 117.

https://www.aphis.usda.gov/animal_health/nahms/dairy/downloads/dairy14/Dairy14_dr_PartI.pdf.

¹³ CD Dechow, EA Smith, RC Goodling, The effect of management system on mortality and other welfare indicators in Pennsylvania dairy herds, *Animal Welfare*, 2011, 20:145-158.

¹⁴ MAG Von Keyserlingk, AA Cestari, B Franks et al., Dairy cows value access to pasture as highly as fresh feed, *Scientific Reports*, 2017, 7:44953.

¹⁵ G Arnott, CP Ferris, NE O'Connell, Welfare of dairy cows in continuously housed and pasture-based production systems, *Animal*, 2017, 11:261-273.

¹⁶ World Organisation for Animal Health, Animal Welfare and Dairy Cattle Production Systems, *Terrestrial Animal Health Code*, Chapter 7.11, 2018, p. 12.

http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_dairy_cattle.htm.

¹⁷ Canadian National Farm Animal Care Council, Code of Practice for the Care and Handling of Dairy Cattle, 2009, p. 31. <https://www.nfacc.ca/codes-of-practice/dairy-cattle>.

¹⁸ Ohio Administrative Code, Section 901:12-3-03. <http://codes.ohio.gov/oac/901%3A12>.

¹⁹ *Id.*

²⁰ American Veterinary Medical Association, Welfare Implications of Hot-Iron Branding and its Alternatives, 2011. <https://www.avma.org/KB/Resources/LiteratureReviews/Pages/Welfare-Implications-of-Hot-Iron-Branding-and-Its-Alternatives.aspx>.

²¹ AVMA, Comment on Docket No. APHIS-2016-0050, Branding Requirements for Bovines Imported into the United States from Mexico, May 23, 2018. [Letter on file with author and available on Regulations.gov website.]

²² World Organisation for Animal Health, Animal Welfare and Dairy Cattle Production Systems, *Terrestrial Animal Health Code*, Chapter 7.11, 2018, p. 5.

http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_dairy_cattle.htm.

²³ Canadian National Farm Animal Care Council, Code of Practice for the Care and Handling of Dairy Cattle, 2009, p. 27. <https://www.nfacc.ca/codes-of-practice/dairy-cattle>.