

April 15, 2015

The Vermont Livestock Care Standards Advisory Council (Council) is pleased to provide feedback to the legislature and to the Secretary of Agriculture, at the request of the House and Senate Committees on Agriculture, on **S. 22** an act relating to docking the tail of a bovine. Subject: Crimes; cruelty to animals; tail docking. Statement of purpose of the bill as introduced: This bill proposes to prohibit the procedure of docking the tail of a bovine unless the tail docking procedure is performed by a licensed veterinarian in order to relieve pain or save the life of the bovine.

S.22 prohibits anyone other than a licensed veterinarian from performing a tail docking procedure on a bovine, mandates that violators be fined \$500 per occurrence, and gives humane agents and law enforcement officials the option of foregoing consultation with the Agency of Agriculture as part of the investigative and enforcement process.

The Council reviewed S.22 at its February 11 and April 15 meetings, and during the April 15 meeting, members of the Council who were present voted to oppose S.22 as written, although the opinion was expressed that more moderate legislation could be useful in cases where market-driven reform does not sufficiently improve animal well-being.

Nonetheless, it is the overall consensus of the Council that criminalizing the act of tail docking or the owners of animals with docked tails is not the best way to effect change within the Vermont dairy industry. Legislating a ban on this practice and imposing fines on violators, is punitive and inflexible. The criminal investigative process would result in additional burden on an animal welfare enforcement system that is already under financial and legal strain. Finally, this method of effecting change within the industry does not ensure buy-in from the farmers themselves, which is critical to the success of any animal welfare initiative.

Vermont dairy cooperatives, veterinarians and industry organizations have taken many positive steps toward educating producers about the importance of animal well-being. These steps include veterinary-sponsored producer-education meetings, guidance from dairy cooperative field representatives, and the use of comprehensive third-party on-farm audit programs (1, 2) intended to assess livestock well-being and ensure that producers are meeting acceptable animal welfare standards. S.22 does not support or make more robust these positive efforts, nor does it recognize the important role that veterinarians and organized industry can and should play in ensuring animal well-being.

Tail docking currently is utilized by some Vermont dairy producers as a management tool, and the decision to implement the practice is based on many factors specific to the herd and the farm's facilities. The Council urges the Secretary of Agriculture and the legislative committees on Agriculture to recognize the value of the veterinary-client-patient relationship and support producer education on topics such as pain control, appropriate surgical procedure and appropriate tail length. These practices lend themselves best to being messaged through education and outreach rather than legislation.

References:

- 1) National Dairy FARM Program, <http://www.nmpf.org/publications/national-dairy-farm-program>
- 2) New York State Cattle Health Assurance Program, <http://nyschap.vet.cornell.edu/module/welfare/welfare.asp>