

## Livestock Care Standards Advisory Council Meeting Minutes

A meeting of the Livestock Care Standards Advisory Council (LCSAC) was held on February 14, 2018 in Room 10 of the Vermont State House (9AM – 10AM) and the in the 2<sup>nd</sup> floor conference room of the Agency of Agriculture Montpelier office building. Members of the House and Senate Committees on Agriculture participated for the first hour. The following LCSAC members were present:

Diane Bothfeld (DB); Dr. Kristin Haas (KMH); Les Pike (LP); Jane Clifford (JC); Callie Field (CF); Eliza Rutherford (ER); Dr. Kent Henderson (KEH); Dr. Ruth Blauwiekel (RB); Ben Nottermann (BN); Dr. Omar Oyarzabal (OO).

The following public observers (affiliations) were present:

Mary McFaun (VT Federation of Dog Clubs); Tristan Langer; Barry Londeree (Humane Society of the United States)

A quorum being present, Chair DB called the meeting to order at 9:06 AM.

Introductions of legislators and LCSAC members were made; newer members to the Council were highlighted.

RB provided a summary of the American Veterinary Medical Association's revised definition of "Antimicrobial Stewardship" and the potential intersect with Vermont through the Food Armor program, etc.

The following bills were discussed and next steps were identified:

H.299 re. shell egg sales – The House Committee on Agriculture has taken introductory testimony; OO volunteered to provide a brief summary of the erroneous conclusions reached in the bill language; Chair Partridge accepted that offer.

H.310 re. adequate shelter for livestock – The House Committee on Agriculture has taken introductory testimony; both committees would like feedback from the LCSAC on this bill by the end of the 2018 legislative session; a short discussion of the pros and cons of direct and indirect measurement of animal well-being was held; KMH will draft a position statement for consideration and discussion by the Council; discussion identified a need to collaborate with the League of Cities and Towns regarding training opportunities for humane officers.

H.440 re. humane certification – The House Committee on Agriculture has taken introductory testimony; discussion identified the fact that this bill may be duplicative since there are currently industry-driven programs in use.

H.750 re. a livestock producer grant program – The House Committee on Agriculture has not taken introductory testimony; this bill is unlikely to move this session.

Chairs Partridge and Starr were asked to provide comment on additional items they would like the LCSAC to focus on in 2018. They stated that it would be helpful for the LCSAC to educate town members of the VT. League of Cities and Towns (VLCT) on the appropriate steps to take when an animal welfare complaint is made. JC agreed to contact Karen Horne with the VLCT to initiate this discussion.

Public comment period #1 was held while the legislators were in attendance. Mary McFaun provided an update of the Animal Cruelty Investigation Advisory Board's activities.

Meeting attendees adjourned from the State House, and LCSAC members reconvened at 116 State Street for the remainder of the meeting. JC did not rejoin the LCSAC meeting due to schedule conflicts.

The minutes from the November 2017 meeting were approved after the meeting attendee list was updated for accuracy and following a motion made by LP that was seconded by KEH. RB abstained.

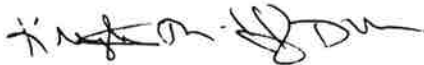
Executive Order certifications dealing with the Code of Ethics for gubernatorial appointees were completed and submitted.

The discussion points that were brought up during the portion of the meeting involving legislators were summarized.

A second public comment period was held, and Barry Londeree provided comment on H.310, stating that he looked forward to working with the LCSAC on this bill in the future. He also provided additional explanation on the activities of the Animal Cruelty Investigation Board's activities.

The meeting adjourned at 11:15AM.

Respectfully submitted,



Kristin M. Haas, DVM



## Livestock Care Standards Advisory Council Meeting Minutes

A meeting of the Livestock Care Standards Advisory Council (LCSAC) was held on April 11, 2018 in Room 210 of the Agency of Agriculture Williston office building located at 94 Harvest Lane.

The following LCSAC members were present:

Diane Bothfeld (DB); Dr. Kristin Haas (KMH); Les Pike (LP); Eliza Rutherford (ER); Dr. Kent Henderson (KEH); Dr. Ruth Blauwiel (RB); JoAnn Nichols (JN); Brian Kemp (BK).

The following public observers (affiliations) were present:

Barry Londeree (Humane Society of the United States)

A quorum being present, Chair DB called the meeting to order at 9:06 AM.

The minutes from the February 2018 meeting were approved with one amendment offered, followed by a motion made by RB and a second by LP. BK abstained from the vote.

The Council's draft position statement on H.310 was discussed, amended and approved unanimously following a motion made by LP and seconded by BK. KMH agreed to submit the position statement to the House and Senate Committees on Agriculture by April 18<sup>th</sup>.

The Council agreed to compile an animal well-being resource list that could be utilized by humane or law enforcement officers to augment their assessment of alleged abuse or neglect cases involving livestock. The remaining funds from the cattle/calf humane transport initiative could be utilized for the development of palm cards directing readers to the website where electronic links to pertinent resources may be found. The Council established an August 2018 deadline for members to submit information to RB, who will spearhead this effort.

KMH communicated feedback from JC regarding the possibility of the Council members offering training to town officials during one or more Vermont League of Cities and Towns' (VLCT) annual meetings. The VLCT declined that offer but agreed to receive material from the Council to post on their website, including the resource list already referenced.

RB provided an overview of S.161. The bill is unnecessary and may have unintended consequences. The bill's language is already incorporated into existing federal standards to which animal use facilities must adhere, and the bill inadvertently impacts animal agricultural research facilities such as land-grant academic institutions.

The Council discussed H.750 in anticipation of a meeting that ASPCA has requested with the Agency of Agriculture. Council members made the following observations about the bill:

- BK pointed out that any state financial aid offered to farmers for accessing animal welfare certification programs also needs to be made available to slaughter facilities. He is aware of situations where farmers have been unable to meet the certification standards even after necessary on-farm enhancements have been made due to limiting

factors found at slaughter. Grant programs developed by the state should acknowledge the importance of all steps along the production cycle.

- The bill language may leave consumers with the perception that farmers who are not participating in an approved humane handling audit program are managing their production animals inhumanely; this is not true.
- Council members questioned the origin of the \$50,000 limit referenced in the bill and were curious as to which national programs are covered.
- VAAFM employee members acknowledged that the Agency does not currently have the monetary or personnel capacity to manage a new grant program and that \$50,000 is insufficient to hire a grant manager.

KMH informed the Council of the debate surrounding equine dentistry and the perception by some "equine dentists" that boards of veterinary medicine are acting outside of their scopes to enact laws that prevent these individuals from earning a living. KEH reminded the Council that this debate has been going on for decades and has historically focused on practices such as embryo transfer.

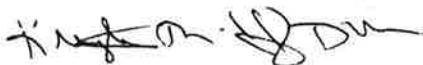
DB provided a dairy industry update; milk prices are dismal, and many farms have gone out of business or are considering doing so. Members were reminded of the Farm First resource and of the fact that licensed livestock dealers and transporters can sometimes help by marketing or buying livestock from financially strapped farmers to avoid animal welfare concerns.

A public comment period was held, and Barry Londeree made the following comments:

- Regarding H.310, it is important to link direct and indirect welfare standards as both are useful for different reasons.
- The species-specific animal care brochures developed approximately 10 years ago could provide a good starting point for the resource list initiative.
- There is currently a required four-hour animal welfare training as part of the police academy curriculum.
- Regarding S.161, he clarified that the intent of the bill is to apply standards to toxicity studies involving animals. He acknowledged that the purpose statement of the bill is broad.

With no other business to discuss, the meeting adjourned at 11:20 AM.

Respectfully submitted,



Kristin M. Haas, DVM

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The following LCSAC members were present:

Diane Bothfeld (DB); Dr. Kristin Haas (KMH); Les Pike (LP); Eliza Rutherford (ER); Dr. Kent Henderson (KEH); Dr. Ruth Blauwiel (RB); JoAnn Nichols (JN); Brian Kemp (BK); Ben Nottermann (BN).

The following public observers (affiliations) were present:

Barry Londeree (Humane Society of the United States)

A quorum being present, Chair DB called the meeting to order at 9:05 AM.

The minutes from the April 2018 meeting were approved, followed by a motion made by RB and a second by BK.

JN demonstrated and answered questions related to the creation of a life-sized rabbit model generated using 3D photography/printing and modeling. The creation was successful due to contributions from Burlington Emergency Veterinary Services and the UVM FabLab, which took on the development of the model as a student project. The deceased rabbit used for the modeling was the victim of an animal neglect case that JN investigated. Although the court declined use of the model in criminal proceedings for this case, the project demonstrates the possible benefit of this technology in future criminal prosecution as it allows one to visualize the true body condition of deceased animals in a realistic manner, without the hindrance of fur, fleece, etc. The UVM FabLab also expressed an interest in developing limb prosthetics for animals.

KMH informed members that the Animal Criminal Investigation Advisory Board (ACIAB) is developing a resource list for law enforcement officers' use during animal welfare investigations. The LCSAC discussed a similar initiative at its April 2018 meeting. The possibility of combining efforts with the ACIAB was discussed.

KMH updated members on recent carcass disposal limitations facing Vermont farmers, precipitated by one rendering service (only one that covers VT) deciding to no longer pick up on-farm mortalities. Currently there is no rendering service covering Vermont, which could result in increased incidence of on-farm animal welfare violations and environmental impacts.

KMH updated members on USDA's plan to discontinue recognizing metal eartags as official ID for livestock within the next two years. Electronic ID will be required to meet international, interstate and intrastate movement ID requirements, which will represent an additional



expense for farmers who move livestock off their farm properties for any reason (slaughter, sale, fairs, shows/exhibitions).

DB updated members on the current status of Vermont's dairy industry. Vermont currently has 703 bovine commercial dairies. The decrease of commercial dairy farms has had a negative ripple effect on agricultural service provider businesses, due to the loss of infrastructure and demand for equipment, feed and services on farms. The Agency of Agriculture (VAAFAM) has established a protocol that allows for rapid follow up with dairy farmers who are no longer shipping milk to ensure that the livestock are being appropriately cared for and that resources are adequate for continued care. If concerns are raised due to a farm visit, VAAFAM has connections and resources at its disposal that may be useful to farmers in some circumstances.

The federal and state 2019 legislative sessions were discussed. RB reported that the American Veterinary Medical Association is not working on legislative initiatives that will directly impact Vermont. KMH updated members on the passage of California's Proposition 12. KMH reported that the ASPCA had requested a meeting with VAAFAM to discuss their progress on introducing a bill that would make funding available to farmers to offset the cost of implementing animal welfare audit programs on farms to gain market access. BK and BN expressed interest in attending the meeting, and KEH asked for a post-meeting summary. DB reported that discussions are ongoing between VAAFAM and the Agency of Natural Resources regarding feeding food scraps to poultry. There may be some legislative activity related to this.

Members are interested in scheduling a February 2019 meeting with the legislative committees of jurisdiction; KMH will work with the House Committee on Agriculture's administrative assistant to schedule. February 6 and February 13 were dates discussed, with the latter being preferred by most in attendance. DB reported that she will be providing testimony regarding the value of the LCSAC to ensure the Council is not sunsetted.

Meeting dates were set for 2019; they will be April 10, September 18, and November 13, with the February date pending as per above.

A public comment period was held. Barry Londeree added information regarding the ACIAB's resource list initiative, clarified that there likely would be an animal sheltering bill proposed in 2019 and expressed appreciation of VAAFAM's method of following up with commercial dairies no longer shipping milk.

With no other business to discuss, the meeting adjourned at 11:35 AM.

Respectfully submitted,



Kristin M. Haas, DVM



April 11, 2018

## **Subject**

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 H.310, Agriculture; crimes; livestock; adequate shelter. H.310 proposes to define adequate natural shelter, adequate constructed shelter, and adequate ventilation for the management of livestock animals. In addition, the bill would require livestock animals confined in enclosed areas to be provided adequate exercise, and if on a leash, rope, or chain to be affixed in a manner that prevents the livestock animal from becoming entangled or injured while allowing the livestock animal access to adequate shelter, adequate food, and adequate water.

## **Background**

While H.310 is an improvement over previous analogous bills, its overall ability to ensure livestock well-being is limited due to its focus on indirect measures of animal well-being (resource-based and management-based) rather than direct welfare measures (animal-based). The Council recommends the use of animal-based direct measures in legislation dictating animal well-being standards because "Animal-based measures reflect the outcome of resource inputs and management practices so they provide an integrative and direct measurement of the welfare state of animals."<sup>i</sup>

Animal-based measures of well-being include parameters such as body condition score; fleece/haircoat cleanliness; lameness; and behavior. These parameters provide the evaluator with information needed to gauge "how an animal is coping with the conditions in which it lives", which is the definition of animal welfare provided in the Terrestrial Code of the World Organisation for Animal Health.<sup>ii</sup> Although H.310 defines resource-based measures (adequate shelter, food and ventilation) and management-based measures (required turn-out and tethering restrictions), H.310 inadequately relates these measures to the direct measures that an evaluator should use to gauge livestock well-being.

## **Recommendation**

At a minimum, any indirect measures referenced in H.310 should be clearly linked to direct animal-based measures and preferably to species-specific measurable outcomes, thereby de-emphasizing indirect measures. State legislation that utilizes animal-based direct measures for evaluation of livestock well-being allows humane officers to apply consistent species-specific standards in every context, regardless of the season, terrain or management style pertinent to the situation the officer is evaluating.

## **Rationale**

The Vermont Legislature has demonstrated support for national livestock well-being programs, including FARM™ (National Milk Producers' Federation - <http://www.nationaldairyfarm.com/about-farm>) and Animal Welfare Approved™ (AGW - <https://animalwelfareapproved.us/>), all of which incorporate direct animal-based measures into their standards. It is important that livestock well-being laws enacted in Vermont comport with measures that allow for evaluation to maintain transparency and accountability for producers, humane officers and the public. The use of direct animal-based outcome measures ensures consistent usability of statutory mandates in all circumstances encountered across the State.

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<sup>i</sup> Munoz C, Campbell A, Hemsworth P, Doyle R. 2018. Animal-Based Measures to Assess the Welfare of Extensively Managed Ewes. *Animals: An Open Access Journal from MDPI*, 8(1), 2. <http://doi.org/10.3390/ani8010002>

<sup>ii</sup> Anonymous. 2017. Introduction to the Recommendations for Animal Welfare, Chapter 7.1 Terrestrial Animal Health Code. World Organisation for Animal Health.  
[http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre\\_aw\\_introduction.htm](http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_introduction.htm)