



February 23, 2022  
Senate Committee on Judiciary

**In Opposition to S 268: An act relating to the right to farm**

Dear Esteemed Members of the Senate Committee on Judiciary,

On behalf of our 500 Vermont-based members, Mercy For Animals, a non-profit organization dedicated to ending industrial animal agriculture by constructing a just and sustainable food system, respectfully urges the Committee to oppose S 268.

S 268 poses significant risks to Vermont communities, animals, and the environment. By striking the rebuttable presumption clause from existing law, S 268 prioritizes the interests of large-scale industrial animal agriculture over the well-being of Vermonters. Industrial farm operations generate significant amounts of manure, which can contaminate surface water and groundwater that surrounding communities may rely on.<sup>1</sup> These operations release pollutants, such as ammonia, hydrogen sulfide, methane, and particulate matter, into the surrounding air, all of which have varying human health risks.<sup>2</sup> S 268 would make it more difficult for Vermonters to address grievances associated with expanded or changed farming practices that negatively impact their water and air quality or way of life.

The addition of § 5754a of S 268, which makes a plaintiff responsible for costs incurred by a defendant farm operation if the farm operation prevails in a nuisance action, is also concerning. This will likely deter communities from acting against bad actors that pollute their environment and jeopardize their health.

**As such, Mercy For Animals respectfully urges the Senate Committee on Judiciary to oppose S 268.**

Respectfully,

Alex Cerussi  
State Policy Manager  
Mercy For Animals

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<sup>1</sup> Carrie Hribar, *Understanding Concentrated Animal Feeding Operations and Their Impact on Communities* (Bowling Green, OH: National Association of Local Boards of Health, 2010), 3, 11.

<sup>2</sup> [https://www.cdc.gov/nceh/ehs/docs/understanding\\_cafos\\_nalboh.pdf](https://www.cdc.gov/nceh/ehs/docs/understanding_cafos_nalboh.pdf).