



General Assembly

February Session, 2014

**Raised Bill No. 5416**

LCO No. 1479



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

**AN ACT ESTABLISHING A LIVESTOCK CARE STANDARDS  
ADVISORY COUNCIL AND PROHIBITING THE USE OF CERTAIN  
ENCLOSURES FOR GESTATING SOWS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) There is established a  
2 Livestock Care Standards Advisory Council that shall consist of the  
3 following members: (1) The Commissioner of Agriculture, (2) the state  
4 veterinarian, (3) four appointed by the Governor, as follows: (A) One  
5 who shall have knowledge of food safety and food safety regulation in  
6 the state, (B) one who shall be from a state-wide organization that  
7 represents the beef industry, (C) one who shall be licensed in the state  
8 as a livestock or poultry veterinarian, and (D) one who shall represent  
9 the College of Agriculture and Natural Resources at The University of  
10 Connecticut, (4) two appointed by the president pro tempore of the  
11 Senate, as follows: (A) One who shall be a representative of the state  
12 slaughter industry, and (B) one who shall be a representative of a state  
13 livestock dealer, a hauler or the auction industry, (5) two appointed by  
14 the speaker of the House of Representatives, as follows: (A) One who  
15 shall be a producer of species other than bovidae, and (B) one who

16 shall be an operator of a medium or large farm licensed by the  
17 Department of Agriculture, (6) one appointed by the majority leader of  
18 the Senate who shall be a professional in the care and management of  
19 equines and equine facilities, (7) one appointed by the minority leader  
20 of the Senate who shall be the operator of a small dairy farm in this  
21 state, (8) one appointed by the majority leader of the House of  
22 Representatives who shall be a representative of a Connecticut-based  
23 humane society or organization, and (9) one appointed by the minority  
24 leader of the House of Representatives who shall be experienced in  
25 investigating charges of animal cruelty involving livestock, provided  
26 such person has not received any compensation from any national  
27 humane society or organization for such investigatory work. Each  
28 appointed member shall serve for a term of three years from the date  
29 of his or her appointment. No appointed member shall serve for more  
30 than two terms. No member shall receive compensation for his or her  
31 service on the advisory council.

32 (b) The Commissioner of Agriculture shall serve as the chairperson  
33 of the advisory council. The advisory council shall meet at such times  
34 as the chairperson determines is necessary, provided the advisory  
35 council meets not less than once per calendar year and the first  
36 meeting of the advisory council occurs not later than ninety days after  
37 the effective date of this section. A quorum shall be required for the  
38 advisory council to conduct business. Eight members of the advisory  
39 council shall constitute a quorum. The advisory council shall be  
40 located in the Department of Agriculture for administrative purposes  
41 only.

42 (c) The advisory council shall have the following duties: (1) Conduct  
43 a review and evaluation of state laws applicable to the care and  
44 handling of livestock, and (2) submit policy recommendations,  
45 including, but not limited to, legislative recommendations, to the  
46 Commissioner of Agriculture concerning the care and handling of  
47 livestock. In performing such review and evaluation, the advisory  
48 council shall consider the following: (A) The overall health and welfare

49 of livestock species, (B) agricultural best management practices, (C)  
50 biosecurity and disease prevention, (D) animal morbidity and  
51 mortality data, (E) food safety practices, (F) the protection of local and  
52 affordable food supplies for state residents, and (G) humane transport  
53 and slaughter practices. Concomitant with the submission of any  
54 recommendation to the Commissioner of Agriculture, the advisory  
55 council shall submit, pursuant to section 11-4a of the general statutes,  
56 such recommendation to the joint committee of the General Assembly  
57 having cognizance of matters relating to agriculture. The advisory  
58 council may engage in outreach and education activities related to  
59 state laws concerning the care and handling of livestock.

60 Sec. 2. (NEW) (*Effective October 1, 2014*) (a) For the purposes of this  
61 section:

62 (1) "Enclosure" means any cage, crate or other structure used for  
63 gestating sows;

64 (2) "Farm" means the land, buildings, support facilities and other  
65 equipment that are wholly or partially used for the commercial  
66 production of animals or animal products used for food or fiber.  
67 "Farm" does not include live animal markets;

68 (3) "Farm owner or operator" means any person who owns or  
69 controls the operation of a farm. "Farm owner or operator" does not  
70 include any nonmanagement employee, contractor or consultant;

71 (4) "Fully extending" means to be able to fully extend all limbs  
72 without touching the side of any enclosure;

73 (5) "Gestating sow" means a pregnant pig of the porcine species kept  
74 for the primary purpose of breeding; and

75 (6) "Turning around freely" means to be able to turn in a complete  
76 circle without any impediment, including a tether, and without  
77 touching the side of any enclosure.

78 (b) No farm owner or operator shall knowingly tether or confine  
79 any gestating sow in any enclosure in a manner that prevents such  
80 gestating sow from turning around freely, lying down, standing up or  
81 fully extending such gestating sow's limbs.

82 (c) The provisions of subsection (b) of this section shall not apply  
83 during any: (1) Medical research, (2) examination, testing, treatment or  
84 operation for veterinary purposes, provided such examination, testing,  
85 treatment or operation is performed by or under the direct supervision  
86 of a licensed veterinarian, (3) transporting of such gestational sow, (4)  
87 state or county fair exhibition, 4-H program or similar exhibition, (5)  
88 temporary confinement of not more than six hours during any twenty-  
89 four-hour period for animal husbandry purposes, (6) humane  
90 slaughter in accordance with all applicable laws and regulations, or (7)  
91 seven-day period prior to such gestating sow's expected date to give  
92 birth.

93 (d) Nothing in this section shall be construed to limit any other  
94 provision of the general statutes that may be construed to protect the  
95 welfare of any gestating sow.

96 (e) It shall not be an affirmative defense to an alleged violation of  
97 this section that such farm owner or operator kept such gestating sow  
98 as part of an agricultural operation and in accordance with customary  
99 animal husbandry or farming practices.

100 (f) Any farm owner or operator who violates the provisions of this  
101 section shall be fined not more than one thousand dollars or  
102 imprisoned not more than one year, or both.

103 (g) The provisions of this section shall not be enforced by the  
104 Commissioner of Agriculture until the commissioner determines, in  
105 writing, that enclosures that do not meet the requirements of  
106 subsection (b) of this section are used in this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	New section

**Statement of Purpose:**

To establish a Livestock Care Standards Advisory Council to provide policy recommendations to the Commissioner of Agriculture on the care and handling of livestock and to prohibit the use of certain enclosures for gestating sows.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*