



**THE HUMANE SOCIETY**  
OF THE UNITED STATES

March 20, 2015

Environment Committee  
Room 3200, Legislative Office Building  
Hartford, CT 06106  
(860) 240-0440

**Re: Please SUPPORT Senate Bill 361, increases penalties for malicious and intentional cruelty), with addition of language to prevent gestation crates from being used.**

Dear Co-Chair Kennedy, Co-Chair Albis, and Honorable Members of the Environment Committee,

On behalf of the Connecticut supporters of The Humane Society of the United States (HSUS), I submit this letter in strong **SUPPORT** for **S.B. 361, with** the request for **additional language that would prevent gestation crates** (intensive confinement systems used on mother pigs) from being used in Connecticut. Please see the proposed additional language in Appendix A, attached.

Connecticut supporters of The HSUS support increasing the penalties for acts of malicious and intentional cruelty to animals. Taking the issue of cruelty to animals seriously is an essential step in protecting not only animals, but the community: the connection between animal cruelty and human violence is well documented. Studies show a correlation between animal cruelty and all manner of other crimes, from narcotics and firearms violations to battery and sexual assault. The HSUS Animal Cruelty Campaign raises public awareness and educates communities about the connection between animal cruelty and human violence while providing a variety of resources to law enforcement agencies, social work professionals, educators, legislators, and families. The HSUS offers rewards in animal cruelty cases across the country and works to strengthen laws against animal cruelty. The National Sheriffs' Association and The HSUS recently launched ICE BlackBox, a free smartphone tool, to allow users to record video of illegal animal cruelty and share it securely with law enforcement for possible investigation and prosecution.

We support S.B. 361, and ask that you consider the following: ***If gestation crates were used on dogs or cats, this would constitute felony-level animal cruelty in our state.***

We ask that language be added to S.B. 361 that would simply allow pigs who are used for breeding to be able to stand up, lie down, turn around, and extend their limbs.

The vast majority of people believe that all animals -- including those raised for food -- deserve protection from abuse. Just as dogs and cats suffer when mistreated, pigs suffer greatly when confined

in a manner that virtually immobilizes them for their entire lives.

### **The issue**

Due to the duration and severity of their confinement, pigs in gestation crates suffer among the worst abuses in all of industrial agribusiness. For several years, they are confined to crates that nearly immobilize them, enduring a cycle of repeated impregnation. These individual cages are approximately **2 feet wide x 7 feet long**—so small the animals **can't even turn around** or take more than a step forward or backward. Because they can't move, they suffer muscle and bone weakness that often leads to lameness. And since these inquisitive, social, and intelligent animals are denied any mental stimulation, many become neurotic, engaging in repetitive coping behaviors, such as constantly biting the bars in front of them.

Renowned animal scientist Dr. Temple Grandin states, "Gestation crates are a real problem. Basically you're asking a sow to live in an airline seat. . . . We've got to treat animals right, and gestation stalls have got to go."

The Pew Commission on Industrial Farm Animal Production, a project of The Pew Charitable Trusts and Johns Hopkins Bloomberg School of Public Health, concluded in its report (which can be found at [www.ncifap.org](http://www.ncifap.org)) that "...After reviewing the literature, visiting production facilities, and listening to producers themselves, the Commission believes that the most intensive confinement systems, such as restrictive veal crates, hog gestation pens, restrictive farrowing crates, and battery cages for poultry, all prevent the animal from a normal range of movement and constitute inhumane treatment." The Commission, which included former Kansas governor John Carlin, former United States agriculture secretary Dan Glickman, and several farmers, ranchers, and veterinarians, also included a recommendation to phase out the most intensive and inhumane production practices to reduce risks to public health and improve animal well-being; these practices included gestation crates, battery cages, veal crates, and other cruel practices.

### **How a ban on gestation crates supports and protects our local farmers**

Although gestation crates to our knowledge do not exist in Connecticut, banning them has great value because it promotes Connecticut's small, family-operated farming operations, who utilize best practices -- humane practices -- while preventing industrial farms from moving into Connecticut and putting our local farmers out of business, as has happened in other states.

*Over the past decades, responsible family farms all over our country have been pushed out by large factory farms.* These factory farms don't just treat animals poorly and squeeze out sustainable producers—they also emit enormous amounts of water and air pollution that have devastating effects on the health of nearby residents. Many communities that once enjoyed a thriving rural economy with successful small farmers were caught off guard when factory farms moved in. By passing a gestation crate ban, Connecticut's lawmakers would help protect our small farmers.

Furthermore, enacting a ban would make state policy clear and thus enhance business opportunities for our state's farmers, whose humane-oriented customers would know with certainty that pigs raised in Connecticut are treated humanely.

### **Connecticut voters want a ban on gestation crates**

A May 2013 statewide survey by Mason-Dixon Polling & Research showed that **91% of Connecticut**

**voters support gestation crate ban legislation**, and many family farms in Connecticut are joining the Connecticut Coalition for Humane Farms in support of a ban on gestation crates.

Gestation crates are banned in the European Union and Australia, and just last week, Canada announced plans to phase-out gestation crates. **Nine states** across the country, including Maine and Rhode Island, have already banned gestation crates. Connecticut should become the tenth.

### **Corporate trends**

Smithfield Foods, the nation's largest pig producer, and Hormel Foods, maker of SPAM, have already announced that they will end the confinement of sows in gestation crates in their company-owned facilities. Additionally, major corporations such as McDonald's, Burger King, Wendy's, and more than 70 others have announced that they will end gestation crate use in their supply chains, and more appear to be following.

Although some pork producers are rejecting gestation crates, others aren't, so it's important to have legislation in place so that unscrupulous producers can't confine animals in the cruel cages indefinitely. And while private policies from food retailers are important, legislation is the best tool we have to prevent and stop animal abuse. Connecticut should be a leader in advancing the commonsense value that confining an animal in a crate so small she can't even turn around shouldn't be legal.

Gestation crate ban legislation (HB 5416, Section 2) is a great opportunity to prevent animal abuse from coming into Connecticut, while improving the competitive landscape for our Connecticut family farmers.

Thank you for your time and consideration.

Yours truly,



**Annie Hornish**

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## **Appendix A: Proposed language that would prevent gestation crates from being used**

Sec 1. Amends Title 53, Chapter 945 of the General Statutes entitled "Cruelty to Animals" by adding thereto a new section designated as Section 53-255, which shall read as follows:

(a) For the purposes of this section:

(1) "Covered animal" means a sow during gestation that is kept on a farm.

(2) "Crate" means any cage, crate, or other device (including what is commonly described as a "gestation crate" for sows) used to confine a covered animal.

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

(4) "Farm owner or operator" means any person who owns or controls the operation of a farm, and does not include any non-management employee, contractor, or consultant.

(5) "Fully extending the animal's limbs" means fully extending all limbs without touching the side of an enclosure.

(6) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(7) "Sow during gestation" means a pregnant pig of the porcine species kept for the purpose of breeding.

(8) "Turning around freely" means turning in a complete circle without any impediment including a tether, and without touching the side of a crate.

(b) The purpose of this section, subject to exceptions, is to prohibit the confinement of sows during gestation in a manner that prevents them from turning around freely, lying down, standing up, or fully extending their limbs

(c) Notwithstanding any other provision of law, a person is guilty of unlawful confinement of a covered animal if the person is a farm owner or operator who knowingly tethers or confines any covered animal in a manner that prevents such animal from turning around freely, lying down, standing up, or fully extending the animal's limbs.

(d) This section shall not apply:

(1) During medical research.

(2) During examination, testing, individual treatment or operation for veterinary purposes.

(3) During transportation.

(4) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions or educational programs.

(5) During temporary confinement for animal husbandry purposes for no more than six hours in any twenty-four hour period.

(6) During the humane slaughter of a covered animal in accordance with the provisions of Title 4, Chapter 17 of the General Laws, and other applicable laws and regulations.

(7) To a sow during the seven-day period prior to the sow's expected date of giving birth.

(e) The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any other state laws or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

It is not an affirmative defense to alleged violations of this section that the sow was kept as part of an agricultural operation and in accordance with customary animal husbandry or farming practices.

(f) Any person who violates the provisions of this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Sec2. If any provision of this act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not affect other provisions or applications of this act that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this act are severable.

Sec. 3. This act shall take effect one year after its passage.