



**EMPIRE STATE HUMANE VOTERS**  
**REPORT ON LEGISLATION**

**NYS A.1341**  
**NYS S.4718**

**M. of A. Rosenthal**  
**Sen. Boyle**

**POSITION: SUPPORT**

**ESHV supports the enactment of NYS A.1341/S.4718 to ban the use of veal crates, gestation crates and battery cages in New York State.**

Intensive confinement practices, including the use of veal crates, gestation crates and battery cages, are inhumane and a serious threat to public health and the environment due to their link to the proliferation of anti-biotic resistant bacteria and water and air pollution.

**Background**

Veal crates, gestation crates and battery cages are some of the cruelest hallmarks of factory farms. These intensive confinement devices restrict baby cows, mother pigs and egg-laying hens to spaces barely larger than the size of their bodies for most of their lives. These inhumane practices deprive animals of the ability to engage in some of the most basic natural behaviors, such as lying down, standing up, fully extending their limbs, or turning around freely.

*Veal Crates*

Veal calves (male dairy calves) are commonly removed from their mothers immediately after birth and are raised in confined spaces to limit exercise and muscle growth in order to produce tender veal. Traditionally, veal production practices include individually confining calves in narrow stalls or crates (approximately 26-30 inches wide and 66 inches long) which do not permit the animals to engage in basic movements such as standing up or turning around, leading to such physical ailments as digestive problems, discomfort, impaired locomotion, and a greater susceptibility to disease.

*Gestation Crates*

Female breeding pigs are commonly confined for their entire lives in gestation crates, individual, concrete-floored metal stalls (approximately 2.5 feet wide by 6.5 feet long) which are barely larger than the animal's body and prevent her from turning around or taking more than a step forward or backward.

*Battery Cages*

Egg-laying hens are commonly raised in large sheds and other indoor structures containing 20,000 chickens or more where they are confined in wire battery cages that are smaller than the



area of a sheet of 8½ by 11 inch paper (approximately 67 to 86 square inches of usable space per bird). These conditions make it impossible for these animals to spread their wings or turn around.

New York State law does not prohibit these practices and there is no federal law that provides mandatory animal welfare standards for the treatment of farmed animals prior to transport and slaughter. At least twelve other states have banned certain intensive confinement practices.<sup>1</sup>

### *Public Health and Environmental Concerns*

In addition to being cruel, intensive confinement devices are a serious threat to public health and the environment due to their link antibiotic resistant bacteria as well as air and water pollution.

#### *The link between intensive confinement devices and antibiotic-resistant bacteria*

Intensive confinement devices such as veal crates, gestation crates and battery cages create stressful and unsanitary conditions that cause inevitable illness and infection in farmed animals. As a result animals on factory farms are fed a steady supply of antibiotics: It has been estimated that up to 70% of all antibiotics sold in the United States are given to healthy food animals.<sup>2</sup>

Public health authorities, including the Centers for Disease Control and the Food and Drug Administration, have identified the widespread use of antibiotics in food-producing animals as a significant factor in the emergence and transmission of antibiotic-resistant bacteria to humans and called for a phasing out of the use of intensive confinement practices, including discontinuance of the use of gestation crates, veal crates and battery cages to protect public health by reducing opportunities for the proliferation of antimicrobial resistant bacteria.<sup>34</sup>

#### *The link between intensive confinement devices and air and water pollution*

---

<sup>1</sup> Arizona, California, Colorado, Florida, Kentucky, Maine, Massachusetts, Michigan, Ohio, Oregon, Rhode Island, Washington.

<sup>2</sup> Pew Commission on Industrial Farm Animal Production, *Putting Meat on the Table: Industrial Food Animal Production in America* (2008) (“Pew Report”), <http://www.pewtrusts.org/en/research-and-analysis/reports/2008/04/29/putting-meat-on-the-table-industrial-farm-animal-production-in-america>.

<sup>3</sup> U.S. Department of Health and Human Services, Center for Disease Control and Prevention, *Antibiotic Resistance Threats in the United States, 2013*” (April 23, 2013), 37, <http://www.cdc.gov/drugresistance/threat-report-2013/pdf/ar-threats-2013-508.pdf>; see also U.S. Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine, Guidance for Industry, *The Judicious Use of Medically Important Antimicrobial Drugs in Food-Producing Animals* (April 13, 2012), <http://www.fda.gov/downloads/AnimalVeterinary/GuidanceComplianceEnforcement/GuidanceforIndustry/UCM216936.pdf>.

<sup>4</sup> Pew Report; *Food Animal Production in America: Examining the Impact of the Pew Commission’s Priority Recommendations*, Johns Hopkins Center for a Livable Future, Fall 2013 (“JHU Report”), [http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-a-livable-future/research/clf\\_publications/pub\\_rep\\_desc/pew\\_report.html](http://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-a-livable-future/research/clf_publications/pub_rep_desc/pew_report.html).



Intensive confinement of farmed animals also poses serious environmental concerns. Manure production at a single factory farm can range from 2,800 tons to 1.6 million tons each year and includes heavy metals, hormones and antibiotics, as well as nutrients like nitrogen and phosphorus, gases such as nitrous oxide, methane and carbon dioxide, and pathogens such as *E. Coli* and *Salmonella*. These emissions pollute our water and air and are recognized as one of the most significant causes of global warming.<sup>5</sup>

### Impact of the Proposed Legislation

The proposed legislation would create a new section 353-g of the New York Agriculture and Markets Law to make it unlawful to confine a pig during pregnancy, calf raised for veal, or an egg-laying hen for all or the majority of any day, in a manner that prevents such animal from lying down, standing up and fully extending his or her limbs and turning around freely. The proposed legislation would not prohibit such confinement during transportation, exhibitions at rodeos, fairs, youth programs, and similar exhibitions, the slaughtering process, scientific or agricultural research, examination, testing, individual treatment or operation for veterinary purposes. The proposed legislation also would permit such confinement of a pig during the seven-day period prior to the pig's expected date of giving birth.

Violation of the law would be a Class A misdemeanor.<sup>6</sup> The effective date would be twenty-four months after the proposed legislation becomes a law.

### Take Action:

Call your NYS assembly member and senator and ask them to protect farm animals from extreme cruelty voting for NYS A.1341/S.4718.

### Questions:

Contact ESHV Executive Director, Allie Feldman Taylor at [allie@eshv.org](mailto:allie@eshv.org)

Visit us on the web at <https://eshv.org/>

March 2017

---

<sup>5</sup> JHU Report at 18; *Livestock's Long Shadow*, Food and Agriculture Organization of the United Nations (2006), <ftp://ftp.fao.org/docrep/fao/010/a0701e/a0701e00.pdf>.

<sup>6</sup> A Class A misdemeanor is punishable by imprisonment for a period not to exceed one year, or by a fine not to exceed one thousand dollars, or by both such fine and imprisonment.