

28th June 2003

Dr. Nancy Halpern, Director
Division of Animal Health
New Jersey Department of Agriculture,
P.O. Box 330,
Trenton,
New Jersey 08625-0330

Dear Dr. Halpern:

I am writing regarding the proposed New Rules (N.J.A.C. 2:8) regulating the Humane Treatment of Domestic Livestock. Your office should be commended for attempting to protect animals from inhumane or cruel practices.

However, I am concerned about the incorporation, by reference, of the American Veal Association (AVA) for the Care and Production of Special-Fed Veal Calves into the proposed rule. I have been a dairy and beef veterinary practitioner since 1982 and I have worked in calf raising systems across the US and in many other parts of the world. I am currently Service Chief, Dairy Production Medicine at the Veterinary Teaching and Research Center, UC Davis School of Veterinary Medicine and the Chair of the American Association of Bovine Practitioners Animal Welfare Committee.

I will base my discussion on the parts pertaining to cattle. I truly believe, as a veterinarian and a concerned citizen, that the AVA guidelines do not promote decent welfare and management of calves. The AVA guidelines rationalize and perpetuate outdated concepts of calf management that I cannot condone. I believe that consumers want livestock raised as humanely as possible and these guidelines offer just the opposite. It is important for veterinarians to speak up for the animals even when it is not politically correct to do so.

The AVA guidelines allow calves to be raised in tethered confinement that prevents calves from even turning around. I can think of no other species of animal we raise from birth without letting the animal to at least turn around.

In fact, the proposed rule will require that chickens and rabbits be allowed to turn around:

(Subchapter 4. Standards for Poultry; section 2:8-2.4 (page 56)) be provided shelter "...of sufficient size to provide space for each bird seeking shelter within to stand, lie down, get up, walk, spread its wings, move its head freely, *turn around* and rest." This is repeated 2 pages later for floor housing for chickens.

Subchapter 5. Standards for Rabbits, section 2:8-5.4 (b) 1. i. (page 66): "Where constructed shelters are provided, they shall: Be of sufficient size to provide adequate space for each animal... to... *turn around to groom itself ...*"

The rule should give calves (and also small ruminants) the same consideration it gives chickens and rabbits. The document lacks internal consistency.

Calves (and small ruminants) should be allowed to at least turn around as they grow. The proposed rule should not be something that limits New Jersey's ability to safe-guard livestock animal welfare.

The AVA guidelines also permit calves to be raised with iron deficiency and incorrectly promote restricting dry feed, or fiber, to calves. It is inconsistent for veterinarians to promote feeding any animal a diet that is knowingly deficient in a major nutrient such as iron.

The suggestions that calves should be raised in such restricted spaces and fed mineral deficient diets because it is the most healthy way to raise calves is preposterous. The vast majority of calves in the US are raised either on pasture (beef cattle) or in hutches large enough to allow turning around or with tethers long enough to allow turning around ("Igloo" style hutches in Northern states). Calves raised in these systems do not have higher rates of enteric disease or hang themselves. Calves, including veal calves, can be and are very successfully raised in humane housing and feeding systems. The rule should promote the adoption of more current and humane management rather than codify and perpetuate outdated animal husbandry.

The section on non-ambulatory disabled cattle (2:8-2.6 (a) 3. (page 41) allows downer cattle to be sold through the market system to slaughter. This is in opposition to the American Veterinary Medical Association and the American Association of Bovine Practitioners

policy statements regarding non-ambulatory cattle. The AVMA and the AABP policy statements preclude downer cattle from being moved for sale or slaughter; if the animal cannot be recovered through medical treatment it is to be humanely euthanized as quickly as possible. The rule should be in conformance with the policy statements of the major veterinary associations in this regard.

I am worried that the rule gives the State Veterinarian too much arbitrary authority in the enforcement of the sections. The rule appears to allow the State Veterinarian sole discretion as to whether or not an investigation will be made and who will do the investigation. I believe that if such a comprehensive rule is adopted there should be a clear policy that determines that investigations will occur when certain evidence is presented and that the inspections should be performed by people outside the purview of political appointees. I believe that politicizing the interpretation and enforcement of the rule will damage the intent of the rule.

There are a few factual errors in the proposed rule that should be pointed out regarding Subchapter 2. Standards for Cattle:

Section 2:8-2.2; (b). 1. "BCS can be measured by direct measurement using a weight scale, when available, or by indirect measurement using a weight tape, when available; or

Comment: 1) the sentence stops without finishing;
2) Body Condition Score, at least in bovine, is a subjective semi-quantitative assessment that is measured without scales or tapes but by looking at and palpating certain parts of the animals' anatomy and assigning a score of 1-5 for dairy cattle and 1-9 for beef cattle. Scales or tapes are not used, so this section is in error. The documents listed as references illustrate the correct procedure for estimating BCS in bovines. Because other parts of this section refer to minimal acceptable BCS it is important that the document measure BCS appropriately.

Section 2:8-2.2; (b). 4; iv: "A score (BCS) of 1.0 is permitted at market."

Comment: 1) Dairy or beef cattle with BCS 1.0 are emaciated and should not be marketed. This section will put the rule at odds with dairy cattle welfare programs being

instituted by industry that preclude cattle of BCS 1.0 from being marketed.

In summary:

- I have over 20 years experience as a bovine veterinarian in clinical practice and now as a clinician teaching veterinary students at UC Davis (I was also raised on a dairy);
- I strongly believe that calves and small ruminants deserve enough space to turn around as they grow;
- Veterinarians and nutritionists cannot ethically recommend diets knowingly deficient in major nutrients such as iron simply to achieve perceived color preferences of meat;
- The proposed rule is wrong to accept the American Veal Association guidelines because they perpetuate restricted tethering of calves and feeding nutritionally deficient diets;
- The rule should abandon the use of the AVA guidelines as reference for calf raising;
- The rule is not in agreement with the American Association of Bovine Practitioners and the American Veterinary Medical Association policy statements regarding non-ambulatory livestock;
- The rule gives too much arbitrary authority to the State Veterinarian regarding investigations of possible violations and enforcement of the rule;
- There are some factual errors in at least the Cattle section.

I will not guess at why the rule has been proposed but I believe it does not promote animal welfare in the cattle sections. Rather it codifies the status quo at the expense of really looking into how calves can and should be raised. I strongly disagree with the cattle section of the proposed rule and hope that you will consider the points I have raised.

Thank you for your consideration.

Sincerely,

Jim Reynolds DVM, MPVM

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