



# **ANIMAL LEGAL DEFENSE FUND** EST 1979

## **FARMED ANIMAL LAW Cover Memo to Course Guide**

Ninety-eight percent (98%) of all animals in the U.S. are farmed animals, to wit, animals who are born, raised and slaughtered for food. Animal agriculture impacts nine billion land animals annually. Because of the sheer numbers of animals involved, a course in farmed animal law is a necessary addition to the general survey course in animal law.

The survey course, which is currently taught in most ABA accredited law schools, provides an overview of how contract, tort, property, constitutional and criminal law, commercial practices, and wills and trusts apply to all classes of animals. The next logical step in the development of animal law as a field of study is the establishment of courses which take a deeper dive into subtopics within the field. Nowhere is this more relevant or exciting than in the study of farmed animal law.

Most farmed animals are confined in massive industrial factories called Concentrated Animal Feeding Operations, or CAFOs, a term coined by the U.S. Environmental Protection Agency. Proponents of the CAFO system argue that it is the most efficient and economical way to produce affordable meat, dairy and eggs for consumers of those products. Opponents argue that the negative effects of CAFOs are significant and must be addressed. To many in the animal protection movement, CAFOs are the single most important issue of our generation, as they result in more animal suffering than all other causes combined.

What sets farmed animal law apart from other subtopics in animal law is the broad range of environmental and human related impacts, in addition to those experienced by the animals. Because CAFOs produce 2.7 trillion pounds of animal waste each year, other effects include the degradation of lakes, rivers and other waterways, hazardous air quality for people living near

CAFOs, and impacts on family farming communities. CAFOs also contribute to climate change and have been criticized for substandard working conditions for their employees.

This course guide begins with a review of what the term “farmed animal” means, how the current factory farming system came to be, and the conditions in which farmed animals are raised and killed. Next, it surveys the federal and state laws applicable to farmed animals, then covers legal efforts by distinct groups working to protect their respective interests: animal protectionists, environmentalists, individuals living next to CAFOs, and the animal agriculture industry itself. Finally, the course guide offers a comparison between protections offered to farmed animals in the U.S. and those in other countries.

It is rare that students have the opportunity to study an area of the law that has *not* existed for generations. It is our hope that students will gain insights into how cultural values, economics, and public policy considerations are implicated by the CAFO system, and how judges grapple with decision making on issues of first impression.

Students planning to practice animal law will benefit greatly from taking a farmed animal law course. For students planning a career in some aspect of environmental law/justice, food policy, or agricultural law, a farmed animal law course offers a wealth of information.

Because this is a dynamic subject, the course guide offers references to developments and issues that are occurring presently. We encourage instructors to contact us and offer feedback on the course guide, and we hope it proves to be useful.

~Joyce Tischler and Thomas Krepitch