



# WELCOME!

5<sup>TH</sup> ANNUAL STUDENT CONVENTION

SATURDAY SEPTEMBER 25, 2021

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3L

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ANIMAL LEGAL DEFENSE FUND **STUDENT CONVENTION 2021**

# Not For Human Consumption

## *Cruelty Plaguing the Pet Food Industry*

- 1) **What** is happening? *Animal Cruelty in the Industry*
- 2) **Why** is it happening? *An overview of federal and state regulation*
- 3) **How** can we fix it? *Solutions*



# Pet Food Production

## Drugs, Disease, and Death



“Pet food” refers to any products made for dogs, cats, or exotic animals that is not intended for human consumption.

Netflix, *Episode 2: Cult of Personality*, Tiger King: Murder, Mayhem and Madness (2020)



# What is in pet food?

## Drugs, Disease, and Death

| U.S. Total Pet Food Animal-based Ingredients                             |                  |                        |
|--|------------------|------------------------|
| Commodity Type   | Tons             | \$ Value               |
| Meat and Poultry   | 1,333,248        | \$2,794,604,543        |
| Broth  | 166,851          | \$834,255,514          |
| By-Product and Organ Meat  | 501,413          | \$294,733,555          |
| Poultry Meal   | 768,949          | \$276,747,695          |
| Animal Meal  | 715,130          | \$211,345,820          |
| Animal Fat   | 232,174          | \$125,003,968          |
| Fish Meal  | 59,050           | \$74,495,363           |
| Poultry Fat  | 56,862           | \$28,431,210           |
| <b>Total Animal-based Ingredients</b>                                    | <b>3,833,678</b> | <b>\$4,639,617,668</b> |
| Note: Data factored up from Nielsen Data to represent National Data      |                  |                        |
| Note: Commodity Type of all ingredients Items are listed in the Appendix |                  |                        |

*Institute for Feed Education and Research, Pet Food Production and Ingredient Analysis, p.9,  
(March 2020) <http://ifeeder.org/wp-content/uploads/200218-Pet-Food-Report.pdf>*



# What is in pet food?

## Drugs, Disease, and Death

### Euthanasia Drugs:

- Pet food is *usually* “adulterated” if contaminated with pentobarbital.
- Pentobarbital is routinely used to euthanize animals and survives the rendering process converting animal tissue into food ingredients.
- Pentobarbital can cause drowsiness, dizziness, loss of balance, inability to stand, or even coma and death.



# Who is in pet food?

## Drugs, Disease, and Death

### Bravo Packing – Carney’s Point, NJ

<https://animaloutlook.org/animal-outlook-complaint-prompts-fda-inspection-and-recall-of-bravo-packing-inc-pet-foods/>

- 99.9% Horse meat with trace minerals
- 49.9% Horse meat / 49.9% Beef with trace minerals
- 99.9% Beef with trace minerals



Ground Beef



Ground Horsemeat



Raw Horsemeat Bones  
(For Fast Day)



Raw Beef Bones  
(For Fast Day)



Raw Beef Ribs  
(For Fast Day)



Beef Shins  
(For Fast Day)



Neck Bones



Horse Shins



# Who is in pet food?

- 3D or 4D animals – “Dead, Dying Diseased”
  - Rejected for sale for human consumption under 21 U.S.C. 644 (2006)
  - California explicitly notes that animals deemed unfit for human consumption due to illness or injury may be used in pet foods.

Centers for Epidemiology and Animal Health, National Surveillance Unit, *Summary of Enhanced BSE Surveillance in the United States* (Apr. 27, 2006)



# Pet Food Regulation

## Federal Agencies

- Animals used in the production of food are usually overseen by the **USDA**.
- For pet food, federal regulation is limited to **FDA** oversight under the Federal Food, Drug, & Cosmetic Act (“FDDCA”).





# Key Issues With Lack of Regulatory Oversight

- **USDA** is the primary enforcement agency for the Humane Methods of Livestock Slaughter Act (“HMSA”) and the Federal Meat Inspection Act (“FMIA”).
- **FMIA** - 21 U.S.C.A. § 641: “[i]nspection *shall not* be provided [...] at any establishment for the slaughter of cattle, sheep, swine, goats, horses, mules, or other equines [...] which are not intended for *use as human food.*”



# Key Issues With Lack of Regulatory Oversight

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Horse Shins

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(R-SC), Sheldon Wh



# What can be done to address cruelty in the production of pet food?

- Eliminate FMIA exemption and require USDA inspection and enforcement of the HMSA.
- Eliminate qualifiers like “for human consumption” when regulating slaughter.
- Educate consumers and encourage transparency.



# Eliminate FMIA exemption and require USDA inspection and enforcement of the HMSA.

- Clear agency division
- USDA infrastructure already in place
- The HMSA was designed to ensure that animals raised for food be spared “needless suffering.”



# Eliminate qualifiers like “for human consumption” when regulating slaughter.

- Ensure that animal welfare legislation benefits *all the animals* in the food industry
- End consumer confusion
- *No new agencies* need to be created



# Educate consumers and encourage transparency.

- No federal or state regulatory agencies are acting in the best interest of the animals being slaughtered.
- Alternatives for consumers
  - **Pet food contaminated with pentobarbital or created from the body parts of sick and injured animals is never the best answer.**



# In Sum...

Eliminating unnecessary cruelty for millions of animals every year for the low cost of three words – “for human consumption” – seems a reasonable price, and one that animal advocates and general consumers alike should be willing to pay.





**THANK YOU!**

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