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Lewis Bollard

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What could a Biden Administration mean for farm animals?

President-elect Joe Biden's win heralds major changes on many issues. But the stakes for farm animals and alternative proteins are less clear: inaction on both has long been bipartisan in Washington DC. So what can we realistically hope for from a new Congress and Biden Administration, and what can we do to make it more likely?

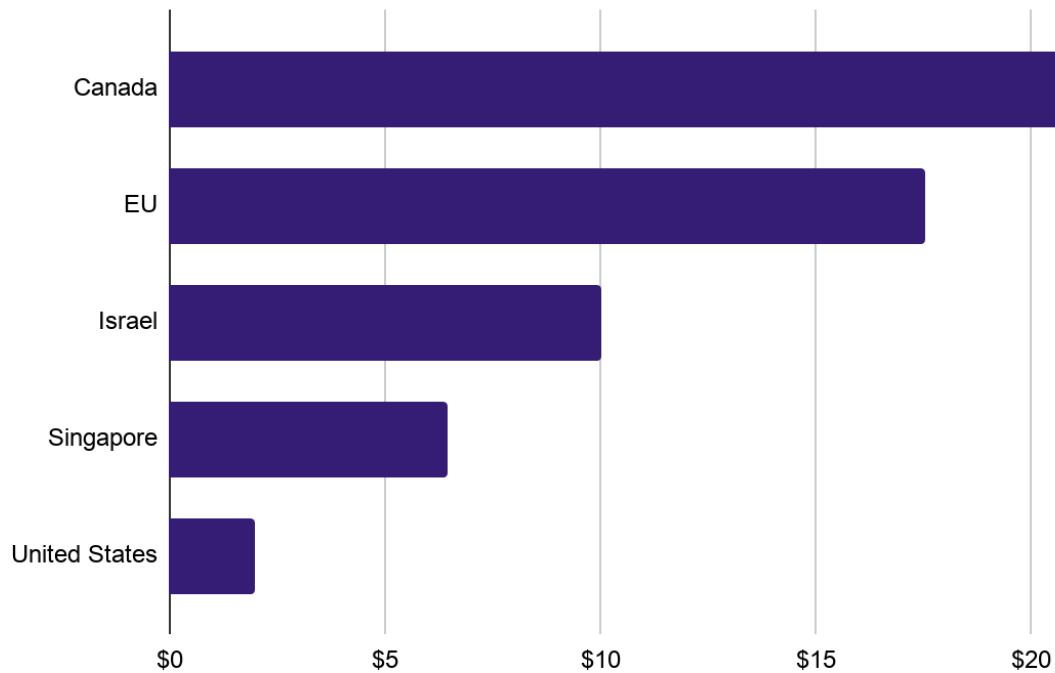
No new laws; maybe new money

Start in Congress. Positive new legislation is unlikely: the US Congress last legislated to protect farm animals in 1978 (just mammals, and only at slaughter), and has never legislated to aid alternative proteins. The new Senate is unlikely to break that trend. But negative legislation is also unlikely, as the Dairy Pride Act has languished in Congress and the [King Amendment](#) has hopefully died along with the political careers of its champions: Rep. Steve King (R-IA) and House Ag Chair Collin Peterson (D-MN), who both lost their seats this year.

New funding may be possible. Advocates can bypass the agribusiness-dominated Senate and House agriculture committees to lobby the more neutral appropriations committees, which may be chaired in the House by food reform champion Rep. Rosa DeLauro (D-CT). Advocates can seek funding for:

- **Alternative proteins research.** In September, UC Davis [won](#) the first federal US research grant for cultivated meat research — up to \$3.55M from the National Science Foundation. That should only be the start: advocates can point out that Canada, the European Union, and Israel are already spending more than \$10M/year on plant-based protein research alone (see chart below).
- **Farm animal welfare research.** In 2017, the last year with available data, less than 1% (\$28M) of the [\\$3.66B](#) federal agriculture research budget went to animal welfare-related projects, most of it on industry priorities. Even a small shift in priorities could solve some of the most vexing animal welfare challenges, like ending debeaking for layer hens.
- **Animal welfare subsidies.** The federal government already pays farmers to adopt green practices — just one such program, the Environmental Quality Incentives Program, will pay out [\\$1.75B](#) to farmers this year alone. Advocates should push for these programs to also subsidize animal welfare improvements, as similar programs already do in the [European Union](#) and [South Korea](#), and soon will in the [United Kingdom](#).

Estimated annual govt. funding of plant-based protein research (\$M USD)



Canada, the EU, Israel, and Singapore all significantly outspend the US in government funding of plant-based protein research. Estimate based on public commitments and published grants for government funded open source and public-private partnership research. Sources: Protein Industries Canada, EU Horizon 2020 research database, Israel Innovation Authority, Singapore Agency for Science, Technology and Research, and media reports.

The fight for the USDA

The most important decisions, though, will be made in the \$130B/year bureaucracy which oversees most of the US food system: the US Department of Agriculture (USDA).

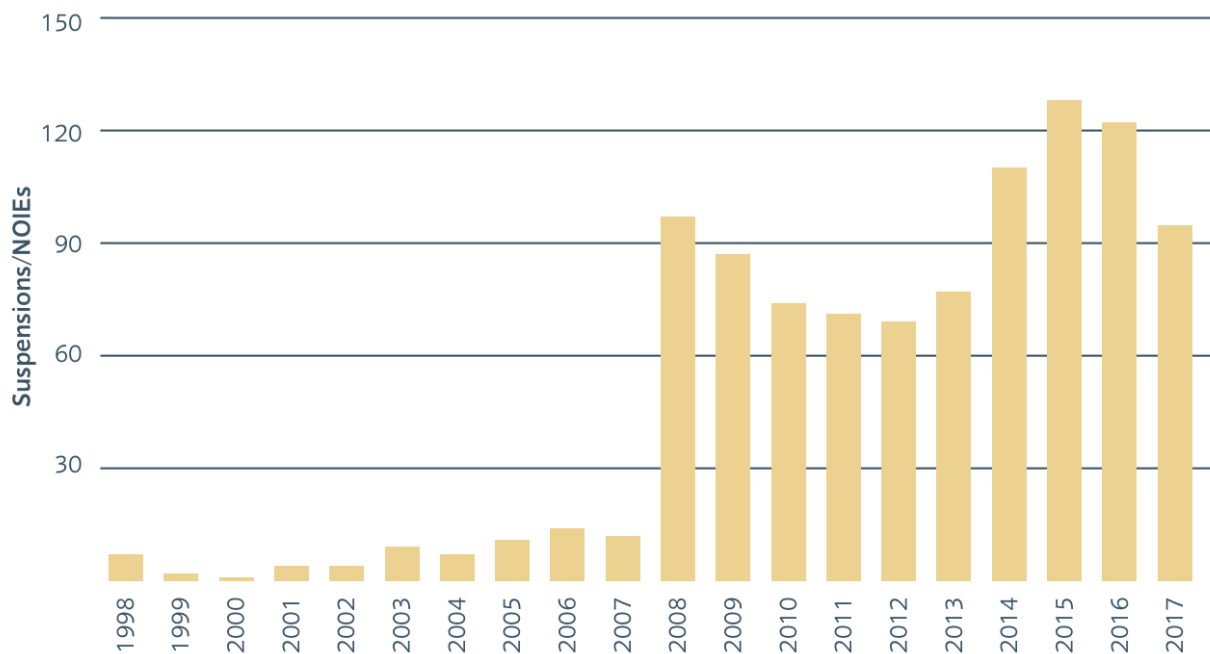
Its track record — under both parties — isn't reassuring. President Obama appointed Tom Vilsack, formerly the governor of America's biggest factory farm state and now a dairy industry executive, to lead it. Vilsack presided over a [chicken industry-backed](#) deregulation of slaughter inspections and inhumane cullings of tens of millions of layer hens. President Trump in turn put a [full-time opponent](#) of animal rights in charge of his USDA transition. His USDA extended slaughter deregulation and inhumane culling methods to pigs and took down public animal welfare records.

But the track record is improving. Obama's USDA proposed the first meaningful animal welfare standards for the organics label, banned the slaughter of sick and injured calves, and sought to protect chicken farmers from their corporate overlords (it [failed](#)). Trump's USDA Secretary, Sonny Perdue, [visited](#) Impossible Foods and said that cultivated meat "techniques need to be embraced." And both administrations substantially increased enforcement against inhumane slaughter practices, albeit from a low base (see below).

So far the Biden Administration’s signals have been mixed. Unlike the Clinton campaign, Biden’s did not adopt an animal welfare policy, instead [pledging](#) to “STAND UP FOR AMERICAN FARMERS, RANCHERS, AND FISHERS” and [promising](#) the Farm Bureau to “be a strong partner” to animal agriculture. [Reports](#) suggest Biden’s top pick for Ag Secretary is former Senator Heidi Heitkamp, who sponsored bills to exempt factory farms from even minimal federal [air](#) and [water pollution](#) reporting requirements.

But reports suggest Biden is also considering Rep. Marcia Fudge (D-OH), who has a much more neutral record on animal agriculture, to lead USDA. And the [Biden-Harris agency review team](#) charged with preparing the USDA transition has several strong advocates for reform, like the Good Food Institute’s Sanah Baig. It also has no representatives from agribusiness or the meat industry — likely a first in Presidential history.

Figure 8. Federal Enforcement Actions for Egregious Violations



Source: USDA-FSIS Quarterly Enforcement Reports.

The USDA’s enforcement of egregious violations of the Humane Methods of Slaughter Act increased significantly in 2008, after the Humane Society of the US’ investigation at the Hallmark / Westland slaughter plant attracted media and Congressional attention. It has stayed high since, albeit far short of where it should be. Note: graph shows only suspensions of the slaughter line and notices of intended enforcement, enforcement mechanisms used only for humane violations judged “egregious.” Source: [Animal Welfare Institute report](#) based on Dena Jones’ analysis of federal noncompliance records (April, 2020).

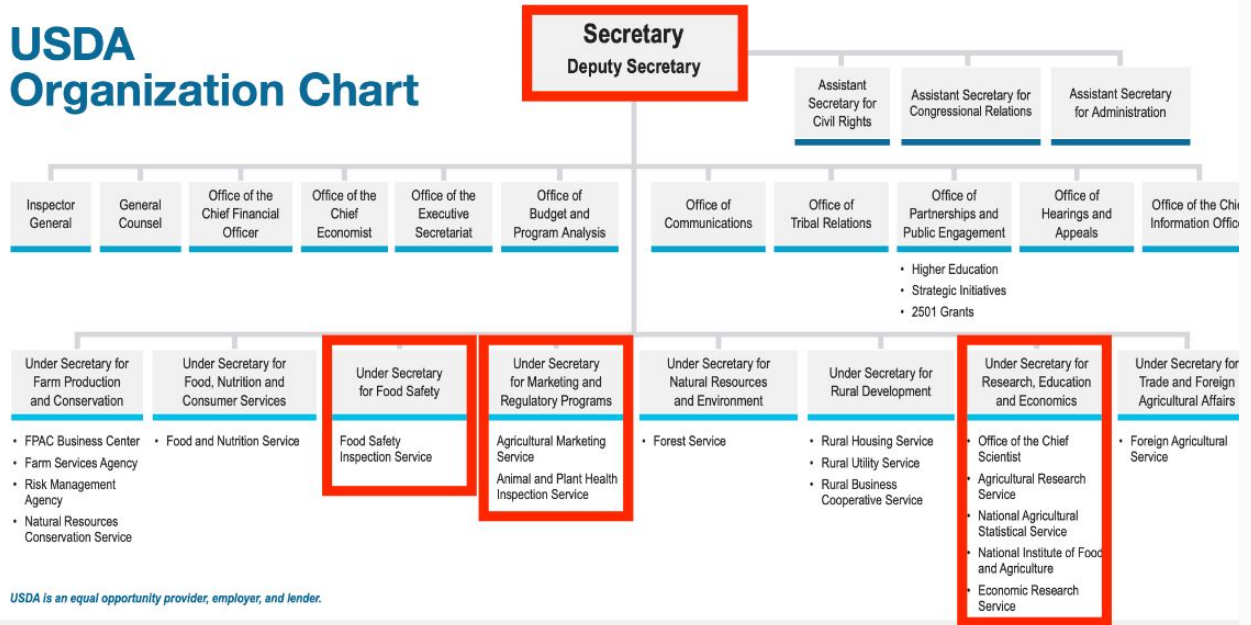
Seven priorities for the USDA

There's a lot that a motivated USDA could do to advance farm animal welfare and alternative proteins. Here are seven things it could do without any new legislation — ranked from most meaningful (and typically hardest) to most achievable (and typically smallest):

1. **Regulate chicken slaughter.** Fully one in eight of all vertebrate land animals slaughtered globally is a US chicken. The USDA has interpreted the humane slaughter law to exempt them, with predictably [cruel results](#). But courts have been clear the USDA has the discretion to end this exemption; a simple rule change could affect more animals than any animal welfare reform in US history.
2. **Strengthen procurement standards.** The USDA needs new legislation to directly regulate conditions on factory farms. But it could do so indirectly just by strengthening the meagre [animal welfare standards](#) it already applies to the meat it buys. Given the USDA buys billions of dollars worth of animal products every year — most recently [\\$200M/month](#) in COVID-relief purchases — that would have a major market impact.
3. **Adopt fair alternative protein labels.** The meat industry is waging a state-by-state campaign to make alternative protein labels unappetizing — whether by banning meat-related terms or requiring ugly descriptors like “imitation.” The USDA could, with the Food and Drug Administration, establish fair rules that preempt these laws and set a clear label framework for plant-based and cultivated meats.
4. **Overhaul depopulation rules.** Current USDA [guidance](#) allows farmers to “depopulate” their herds by ventilation shutdown — turning the fans off and letting animals bake to death — as [farms in Iowa did](#) this summer when COVID caused supply shocks. If the USDA instead merely adopted the World Animal Health Organization’s depopulation guidelines, they’d spare millions of animals a lot of suffering.
5. **Enforce good commercial practice violations.** One unnoticed win under Trump’s USDA: it roughly doubled noncompliance actions for breaches of “good commercial [welfare] practices” in chicken slaughter, per a new Animal Welfare Institute [report](#). This is no substitute for humane slaughter regulations: good commercial practices are vague and lack legal force. But the USDA could still ease a lot of suffering by upping enforcement.
6. **Oppose the lawsuit against Prop 12.** After asking the Supreme Court to not hear a lawsuit against Massachusetts’ farm animal welfare law just two years ago, the Trump Administration recently [backed](#) a pork industry lawsuit against California’s similar law, Prop 12. The new Administration could reverse this legal position, and make clear it supports the right of states to pass higher welfare laws.
7. **Re-issue two good Obama administration rules.** Obama’s USDA belatedly issued a stronger farm animal welfare standard for the “organic” label, and a halt to slaughter line speed increases — two changes that Trump’s USDA scrapped. Both should now hopefully be back on track.



USDA Organization Chart



USDA is an equal opportunity provider, employer, and lender.

UPDATED 10/01/20 This organization chart displays the names of USDA offices, agencies, and mission areas. Each office, agency, and mission area is placed within a cell connected by lines to show the structure and hierarchy (Under Secretary, Deputy Secretary, or Secretary) for which they fall under. An HTML version that lists [USDA Agencies and Offices](#) and [USDA Mission Areas](#) is also available on usda.gov. The [Secretary's Memorandum 1076-031](#) was signed August 12, 2019 effectuating a change to Rural Development.

What we can do

The people appointed by the Biden Administration to key USDA roles will make the biggest difference in whether the regulatory agenda above is enacted. Those appointments will be made over the next few months, so advocates have a window of opportunity to influence the future trajectory of the agency.

The most important roles (highlighted in the USDA org chart above) are the Secretary of Agriculture, and the three under-secretaries who control food safety (all slaughter inspections), marketing and regulatory programs (procurement standards, labels, and depopulation rules), and research (alternative proteins and animal welfare research).

US advocates and funders can contact their senators, who will vote on the nominees, to make clear they want pro-animal nominees to fill these roles. They can also support advocacy groups' campaigns to oppose Heitkamp and support Fudge. And advocates and funders everywhere can engage with their politicians to get farm animal welfare and alternative proteins on the mainstream political radar.