

# JFAN

JEFFERSON COUNTY FARMERS & NEIGHBORS, INC.



**FARMS, NOT FACTORIES!**

A Nonprofit Educational Foundation

Volume 3 ~ SUMMER 2008

## MORATORIUMS: NORTH CAROLINA LEADS THE NATION WILL OTHER STATES FOLLOW SUIT?



**Pipes from CAFOs spew liquid manure into this lagoon in North Carolina.**  
Photo: Jeff Vanuga, USDA Natural Resources Conservation Service

### BY ROBERT SWANSON

In 1995, North Carolina experienced an unprecedented environmental disaster. A hog farm spilled 25 million gallons of manure into the New River killing 10 million fish and contaminating more than 350,000 acres of coastal shellfish habitat. This led North Carolina to impose a moratorium on new factory farms in 1997. Manure spills do happen and thousands have occurred over the last twenty years across the country. Manure runoff can also lead to outbreaks of pathogens (such as Pfisteria or E. Coli) endangering individuals and the environment with increased costs to communities. Feedlot runoff has contributed to the Gulf of Mex-

ico's "Dead Zone," a sea life-killing algae bloom the size of New Jersey. In 2003, the American Public Health Association ("APHA") adopted a resolution calling for a "Precautionary Moratorium on New Confined Animal Feeding Operations." Founded in 1872, APHA is "the oldest, largest, and most diverse organization of public health professionals in the world," as stated on their website ([www.apha.org](http://www.apha.org)) Since 2003, incidents in other states have led to several calls for moratoriums as a way to stop the damage factory farms wreak on the environment and the health of individuals. Some of these moratorium calls include:

**MORATORIUM** *continued on p. 8*

## CAFOs DO NOT INCREASE ECONOMIC DEVELOPMENT IN COMMUNITIES: STUDY

Counties which experienced increasing numbers of hog confinements did not see increased levels of economic development and may have lost the opportunity to strengthen their economies with other development projects, says a new study financed by the Iowa Policy Project. The study, released in October, explored whether the hog confinement industry was a viable means for sustainably developing Iowa's rural communities. Data was analyzed from Iowa's 99 counties during the 1990's when CAFOs grew most rapidly in the state. The researchers, Iowa State University (ISU) Professor Jan Flora, with Quoli Chen from ISU and Stacy Bastian and Rick Hartman from Small Potatoes Farm, examined three key sustainability elements: social equality and well-being, economic viability, and environmental soundness. Counties with expanding hog populations did contribute to regional employment growth, but the only demographic that increased was the number of adults without a high school education.

**DEVELOPMENT** *continued on p. 5*

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**JFAN NEWSLETTER**  
JEFFERSON COUNTY  
FARMERS & NEIGHBORS, INC

Volume 3 ~ Spring 2008

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This newsletter is published semi-annually by the Board of Directors of Jefferson County Farmers and Neighbors, Inc. (JFAN), which is a 501(c)(3) nonprofit tax-exempt educational foundation.

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## THE UNPLEASANT SCENT OF IOWA'S ODOR CONTROL BILL

**BY FRANCIS THICKE**

Do we in Iowa want to spend \$22.7 million and five years to study how to reduce odors from Confinement Animal Feeding Operations (CAFOs) and pay CAFO owners to voluntarily adopt odor-control technologies that we already know work? That is what has been proposed jointly by Iowa Secretary of Agriculture Bill Northey, Iowa Department of Natural Resources Director Richard Leopold, and ISU's College of Agriculture Dean Wendy Wintersteen.

The proposal was put forth to an interim Livestock Odor Study Committee of the Iowa Legislature last November. The legislative committee unanimously approved the proposal. More recently, in his State of the State address, Governor Culver also called for more funding for research on odor control.

The Governor, Legislature, Secretary of Agriculture, and Director of the DNR should check with Minnesota, where proven odor-control technologies for CAFOs are already available and required to be used where needed.

Research at the University of Minnesota has demonstrated that biofilters will reduce CAFO odors by 85% and hydrogen sulfide by 90%. A biofilter is a structure packed with plant material that absorbs odors and other gases exhausted from CAFO buildings. In addition to biofilters, a University of Minnesota Extension publication (published in 2001) lists 23 other odor-control technologies.

In Minnesota, a CAFO over 1000 animal units is required to submit an Air Emission Plan, which, among other things, must include "measures to be used to mitigate air emission in the event of exceedance of the state ambient hydrogen sulfide standard."

Unlike Minnesota, Iowa does not require CAFOs to have an Air Emission Plan, nor does Iowa have a hydrogen sulfide standard. A hydrogen sulfide stan-

dard was passed by the Iowa Environmental Protection Commission several years ago, but the Iowa Legislature immediately nullified it.

Iowa differs from most other states by not allowing local governments the authority to regulate CAFOs. In Minnesota, county governments—and even township



governments—have the legal authority to stop the construction of a CAFO if local authorities believe the CAFO would be detrimental to the community. In Iowa, the state legislature passed a law stripping local governments of that authority as a result of pro-CAFO lobbying.

Biofilters work for odor control in Iowa as well as they do in Minnesota and other states. An article that appeared in *Iowa Farmer Today* last April described the experience of a Manchester, Iowa CAFO owner who had installed biofilters. The CAFO owner said, "the best compliment I got was from a school bus driver. He said, 'I drive around and smell all these hog buildings. But when I drive by yours, I don't smell anything.'"

If odor-control technology is already available and proven to work, why are Iowa's state leaders calling for five years of research on odor control? And, why are state leaders calling for a voluntary odor-control program paid for by Iowa taxpayers? Could this be a reflection of the power of the pro-CAFO lobby at our State Capitol?

*See update on the Odor Bill on page 3*



## UPDATE ON THE ODOR BILL

Representative Mark Kuhn (D – Charles City) offered an amendment to the odor study bill in the House Agriculture Committee that would have required all new or expanding swine operations undergo a Community Air Modeling (CAM) study conducted by Iowa State University. The amendment was defeated.

Kuhn and local Representative John Whitaker (D-Hillsboro) were the only two legislators to vote against the odor control bill in committee.

On April 18, the House approved House File 2688 on a 69-30 vote. The Senate followed on April 24 with a 29-17 approval with four abstaining. Both Representative Whitaker and local Senator Becky Schmitz voted against the bill.

Funding for the proposal is still to be determined. Funding may either be made available in subsequent years or as federal grants become available. Governor Culver has yet to sign the bill.

## OPEN MANURE PILES COULD THREATEN IOWA

A proposal to House File 2692 would have allowed farmers to stockpile manure adjacent to homes or as close as 400 feet to waterways. Although the DNR opposed the proposal, the House Agricultural Committee passed it unanimously. Both Democratic and Republican leaders supported the proposal.

Ironically, on April 18, the *Des Moines Register* reported “preliminary results from a livestock manure stockpile study show harmful pollution is seeping into groundwater.”

Piles could remain in place for as long as six months. Rainfalls would allow ammonia and bacteria to be washed into nearby waterways, leading to potential violations of the Clean Water Act.

After the bill came out of committee, it saw no more action this session.

### MORE CAFOS ON THE WAY...

DNR Director Richard Leopold predicts approximately 2550 new CAFOs will be constructed in Iowa over a five-year period – an average of 450 per year.

<http://iowafarmersunion.org/2008/03/28/od-or-bill-stinks-keep-up-the-pressure/>

## COALITION FOR A HEALTHY & SUSTAINABLE IOWA (CHSI)

### BY FRANCIS THICKE

In recent years, many groups across Iowa have worked to help protect Iowa citizens from the harmful effects of the confined animal agriculture industry. Last fall, a number of these groups came together to work collectively as a coalition. The new coalition adopted the name “Coalition for a Healthy & Sustainable Iowa” (CHSI).

Organizations that chose to work together as CHSI include Greene County Farmers and Neighbors, Iowa Citizen Action Network, Iowa Citizens for Community Improvement, Iowa Farmers Union, I'M for Iowa, Iowa Network for Local Control, Iowa Nurses Association, Iowa Sierra Club, Iowa State Association of Counties, Jefferson County Farmers and Neighbors, and 1000 Friends of Iowa.

A primary focus of CHSI is to work at the state level to get legislation passed that will protect Iowa citizens from the



harmful effects of Confinement Animal Feeding Operations (CAFOs).

Because the CAFO industry is expanding so rapidly in Iowa, CHSI believes it is necessary to immediately stop all construction of new CAFOs until solutions can be found to the many problems posed by them. The following statement has been adopted by CHSI:

“We are calling for a temporary moratorium on new construction of industrial livestock facilities (CAFOs) until the negative impacts of industrial livestock production on water quality, air quality, property rights, independent local farmer’s financial profits, health, and quality of

life have been thoroughly addressed in a responsible manner, for the majority of Iowans, by the Iowa legislature. The legislative means to do so may be accomplished by restoring the local authority of the County Board of Supervisors, as well as establishing stronger protective and enforceable statewide environmental and health standards.”

## MANURE AND FERTILIZERS THREATEN WATER IN IOWA

Manure and commercial fertilizer applications to frozen and snow-covered ground this winter caused record ammonia levels in Iowa’s waterways that threatened tap water in several cities in March according to an April 6 article in the *Des Moines Register*. DNR water samples taken throughout Iowa showed sharply elevated ammonia levels in nearly every part of the state, except far northeastern Iowa.

A heavy ice covering on the applied manure and fertilizer trapped the ammonia that would have naturally dissipated into the atmosphere, causing the high levels. Ammonia from decaying plant material in waterways was also trapped in the same way and contributed to the build up.

The Des Moines water supply was seriously threatened, and city officials had to draw water from alternative sources in order to supply enough water to its resi-

dents. To counter the high levels of ammonia, the Des Moines Water Works quadrupled its use of chlorine.

Other cities, such as Council Bluffs and Panora, were similarly affected.

In response, the DNR, Des Moines Water Works, Raccoon River Watershed association, and the Iowa Environmental Council renewed calls for a state ban on manure and synthetic fertilizers on frozen or snow-covered ground. Strong farmer opposition in the past thwarted earlier attempts at such bans. Iowa recommends against such applications but does not prohibit them.

Missouri, Wisconsin and Minnesota all have varying restrictions on applying manure and fertilizer to frozen and snow covered ground.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20080406/NEWS/804060347>

# OUR ACTIVITIES AT A GLANCE:

## JFAN WORKING HARD FOR YOU

As JFAN starts its fourth year, we are happy to report that we have made much progress since our organization was formed. We continue to be concerned about the health, environmental, and economic impacts of factory farms on our community. Our activities focus on educational efforts on alternative sustainable farming practices and the negative effects of CAFOs. We work to prevent the rapid expansion of industrial agriculture and help our Jefferson County neighbors directly affected by CAFOs. Here are some of our successes since last summer.

### Education and Outreach

#### ***New Booklet Distributed Throughout the State***

In the last year JFAN has accomplished a lot in one of our main mission areas - education. We published *How to Protect Your Family and Home from Factory Farms*, a 24-page booklet funded by a grant from a JFAN board member.

This is a very informative resource that provides both organizational and legal information on dealing with CAFOs. It is written for those confronted with the prospect of a new CAFO in their backyard as well as those whose quality of life has been damaged from a neighboring confined livestock operation.

The booklet has been distributed across the state to county supervisors, state legislators, environmental groups, lawyers, and the news media. JFAN has also sent it to several people and organizations seeking our help.

Single copies are available at no charge at Everybody's and multiple copies are \$1 each. The pamphlet is also available online at our JFAN website in a PDF format.

#### ***New Booklet on Secondary Liability***

Our second booklet, *Secondary Liability: Could You Be Implicated in a CAFO Lawsuit?* is nearing completion. This publication presents the responsibilities and potential liabilities of those who work indirectly with CAFOs, such as landowners accepting manure to apply on their land, operators, manure transporters, and manure applicators.

*Secondary Liability: Could You Be Implicated in a CAFO Lawsuit?* will be available this spring.

#### ***Monthly Columns in Weekly Reader***

To keep our community informed on a regular basis, we began publishing a monthly column in the *Fairfield Weekly Reader* beginning in December. Generally appearing in the latter part of the month, we cover a range of topics, including JFAN news and events, legislative progress, CAFO news, and other such topics. We'd like to thank Hilary Kurtz, editor of the *Fairfield Weekly Reader*, for giving us this opportunity to share important information with our community.

#### ***Website Overhaul***

Our website ([www.jfaniowa.org](http://www.jfaniowa.org)), like that of many small organizations, was quickly created and developed. We are currently in the process of revamping and updating our online presence so it contains current and useful information. Stay tuned for announcements of our new improved website.

### Financial Assistance Grants

#### ***Simmons Lawsuit Settles***

JFAN provided a financial assistance grant to the Dick and Tim Simmons families when they brought a lawsuit against Robert Deutch who built a factory farm just a few hundred feet from their homes. It recently settled out of court, and we understand that the Simmons' families were satisfied with the outcome. We are pleased that our assistance was instrumental in helping them with this process.

JFAN has also provided a grant to several families in the Pleasant Plain area for another suit scheduled in the near future.

These lawsuits serve a two-fold purpose. They deal with the immediate CAFO problem, and they protect neighbors, and ultimately the entire community, by sending a strong message about the importance of meeting all state regulations and being a good, considerate neighbor.

The JFAN Board of Directors has received feedback that plans for several confinements have either been relocated

in order to impact neighbors less or they have been cancelled because JFAN's educational and granting activities have increased awareness about the issues surrounding CAFOs.

JFAN will continue to provide financial assistance grants for those who need support in fighting a new or expanding CAFO. Applications are available online at [www.jfaniowa.org](http://www.jfaniowa.org) or by emailing [jfan@lisco.com](mailto:jfan@lisco.com).

#### ***JFAN Grant Helps Sierra Club Test County Waters***

JFAN recently awarded a grant for a water-testing project being conducted by the Sierra Club Leopold Group. Several Jefferson County waterways in locations up and downstream of CAFO sites are



being tested following high volume rainfalls to determine E. coli and ammonia levels. The project will continue for several months with results to be reported to the Department of Natural Resources.

#### ***Grants Available for Alternative Farming Methods***

JFAN will issue grants in the amounts of \$500-\$1000 for farmers wishing to explore alternative livestock production systems. All applications will be considered. To request a grant application, contact [jfan@lisco.org](mailto:jfan@lisco.org) or visit our website at [www.jfaniowa.org](http://www.jfaniowa.org).

### Monitoring Local Activities

#### ***Elmore/Hellweg Expansion Progresses with Changes***

JFAN helped to alert the community last summer about a proposed facility expansion by the Elmore and Hellweg families in the northeast corner of Jefferson County near Pleasant Plain. The Jefferson County Board of Supervisors held a public hearing with two thirds of the comments critical of the facility.

As a result of these comments and the Matrix process, several positive changes



were made, including an adjustment to the set back distance of the CAFO. Unlike some projects that meet the minimum required scores for the Matrix, the Elmore/Hellweg families adjusted their plans so that they scored well above the minimums.

The construction proceeded because of the progress that followed the meeting, and because close neighbors didn't oppose the expansion. While JFAN remains opposed to any factory farm facility, the Elmore facility met the standards of JFAN's Good Neighbor Guidelines.

### **Manure Spill Results in Small Fine**

Manure applicator Ryan Robertson and landowner David Horras were cited by the DNR after a significant manure spill took place on the Horras farm in northeast Jefferson County. The spill went into a tributary stream of Walnut Creek and onto Pleasant Plain Road.

The DNR investigated the spill and cited both men with discharging manure into a state waterway and not reporting the spill. Robertson was fined only \$4,000. This was Robertson's second manure spill.

JFAN closely monitored the situation and continuously followed up with the DNR. It is our opinion that the fine was insignificant compared to the damage caused to the environment.

## **JFAN and the Community**

### **JFAN Joins Coalition**

On a statewide level JFAN has joined the Coalition for a Healthy & Sustainable Iowa (CHSI). This group is working primarily on legislative issues and has membership from about 20 organizations across the state. (See article on page 3.)

JFAN also continues to work with Iowa Citizens for Community Improvement in several ways, including alerting our members about legislative issues and events. ICCI reports that they have had more new members join from Jefferson County than any other county across the state.

### **Become a Member of JFAN**

We encourage you to become a member of JFAN. Memberships help us in several ways: the funds help us further our goals and provide financial assistance grants, and membership numbers give JFAN clout when dealing with government agencies and local farmers. At \$25, a membership is

## **THE EPC RESTRICTS MANURE APPLICATIONS TO SOYBEANS**

**BY FRANCIS THICKE**

On March 11 the Iowa Environmental Protection Commission (EPC) took final action on a proposed rule that would restrict—and eventually ban—the application of liquid manure to soybean crops.

The original proposal would have limited liquid manure applications to soybeans at a maximum rate of 100 pounds of manure nitrogen per acre, half that amount of the current rules. The proposed rule would also

have instituted a complete ban of liquid manure applications to soybeans starting in five years. The purpose of the five-year delay was to allow time for more research on how the application of manure to soybeans affects water quality.

The EPC approved a modified version of this proposed rule, requiring that a vote be taken in five years to reaffirm the ban. The approved rule does retain the 100 pounds of liquid manure per acre restriction.

The EPC passed a weakened version to avoid the likelihood that the Legisla-

ture's Administrative Rules Review Committee would nullify the rule. That committee nullified air quality standards for CAFOs that the EPC approved several years ago.

ture's Administrative Rules Review Committee would nullify the rule. That committee nullified air quality standards for CAFOs that the EPC approved several years ago.

Iowa State University research shows that when manure is applied to both corn and soybeans year after year, there is an increase of nitrate leaching through the soil and into drainage-tile lines\* (and ultimately into surface waters). In one study, the increase in nitrate leaching was 35%, and in another study the increase was 82%.



As a legume, soybeans have the capability to biologically capture nitrogen from the air to use to produce a crop, so soybeans do not need nitrogen from fertilizer or manure. However, some CAFO owners apply manure to soybeans as a means of manure disposal.

\* *A tile drainage system is a network of underground pipes in agricultural fields that allow subsurface water to move out of the fields and towards lakes, streams and rivers.*

### **DEVELOPMENT** *continued from p. 1*

While the study also found that poverty was reduced in these counties, it also discovered that economic development was barely existent. The sales prices of homes declined significantly in the counties where CAFOs were expanding most rapidly.

Researchers also found that increased numbers of CAFOs adversely affected the environmental soundness by causing manure spills, fish kills, and impaired lakes, streams, and rivers.

Rural tourism, recreation, and destination retirement development in some northeast and southeast counties may have been hampered by the growth of CAFOs, says the study. Such activity would have had more than five times the economic impact than the CAFOs have had.

<http://www.iowapolicyproject.org/2007docs/071018-cafo-xs.pdf>

# NEWS BRIEFS

## FROM IOWA, THE US AND BEYOND

### Michigan Court Says State Violated Clean Water Act

The Michigan State Court of Appeals ruled in January that the state has violated the federal Clean Water Act by not regulating CAFOs adequately. The court said Michigan is giving CAFO owners and operators too much authority in determining their own manure storage and application plans.

The 2-1 ruling, spurred on by a lawsuit by the Michigan Chapter of the Sierra Club, said that the state's Department of Environmental Quality (DEQ) didn't require enough information for CAFO permits and that manure management plans should be included.

The Michigan Appeals Court also ruled that the public should have a better opportunity to adequately review manure management plans. Previously, Michigan citizens could review plans by filing a Freedom of Information Act request, "a rather circuitous path to encouraging and assisting public participation," wrote Judge William Whitbeck.

The DEQ is currently evaluating the ruling and whether it will comply or appeal. Ironically, they are also facing another suit, initiated last fall by Farm Bureau, that claims the same permitting process is too strict.

<http://www.freep.com/apps/pbcs.dll/article?AID=/20080118/OPINION01/801180330/1069> and [www.chron.com/disp/story.mpl/ap/fn/5461188.html](http://www.chron.com/disp/story.mpl/ap/fn/5461188.html)

### Groups Petition EPA to Enforce Clean Water Act

Claiming that Iowa is violating the 1972 Clean Water Act, a coalition of environmental groups has called for the US EPA to assume responsibility for a program that limits manure discharges from CAFOs.

The groups, the Iowa Sierra Club, Iowa Citizens for Community Improvement, and the Washington DC-based Environmental Integrity Project, has petitioned the EPA to take over the National Pollutant Discharge Elimination System function of the Clean Water Act.

The groups say that the Iowa Department of Natural Resources has not ade-

quately protected the state's waters and its residents for over 30 years.

Richard Leopold, Director of the DNR, responded by saying fines could rise and Iowa farmers and cities could face less flexibility should the EPA take over the program.

Iowa has issued federal sewage permits to only 100 of the 1500 open feedlots registered in Iowa and has issued none to confined livestock operations.

**Editor's Note:** See our related article "Putting the Clean Water Act to Work in Iowa" by Michele Merkel that was published in our Summer 2007 JFAN Newsletter. Available online at [www.jfaniowa.org](http://www.jfaniowa.org).

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070921/NEWS/709210410/1001/NEWS>

### Chipotle Increases Naturally Grown Meat in Menu

Chipotle Mexican Grill plans to serve more than 50 million pounds of naturally raised meat in 2008, forty percent more than their 2007 usage. The restaurant chain, with 670 locations in over 30 states, has goals to eventually serve



Photo: Chipotle.com

100% naturally raised meat in nearly all its restaurants.

Currently, the high-quality fast food chain serves naturally raised pork at all its sites and over 80% serve naturally raised chicken. Naturally raised beef is available at half of its locations.

"There was a time when only the most demanding chefs were using this superior quality meat at the most expensive restaurants, but now we're committed to making it available and affordable so everyone can eat better," said Chipotle

founder, chairman, and CEO Steve Ells.

Since 2001, Chipotle has worked with Niman Ranch to supply naturally raised pork. Niman producers raise unconfined hogs without antibiotics, hormones or growth stimulants.

"When Chipotle began working with Niman Ranch, there were fewer than 50 family-owned pig farms in the system," says Bill Niman, founder of Niman Ranch.

Today, there are more than 500 family farms "because Chipotle has provided those farmers a fair market for their pork," he adds.

<http://www.reuters.com/article/pressRelease/idUS113290+07-Jan-2008+BW20080107>

### County Officials Say Give Us Local Control

County officials in Iowa voted to back local control for CAFOs at their annual convention in November. The vote, taken at the Iowa State Association of Counties convention in Des Moines, was held despite a move by some officials to remove local control from the group's legislative platform.

Currently, there is no local control in Iowa. The state legislature sets statewide standards citing that local control would result in a hodge-podge of regulations that would hurt the agricultural industry in Iowa.

<http://www.radioiowa.com/gestalt/go.cfm?objectId=91069F01-DDDA-AE31-F667FF860239E14D>

### Antibiotic Resistance Genes Spread to Groundwater

Environmentalists and the American Medical Association have long voiced concerns about the routine use of antibiotics in swine production. Now a study conducted at the University of Illinois finds that some antibiotic resistant genes found in manure lagoons are transferred "like batons" from one species of bacteria to another.

The study tracked tetracycline resistance genes from hog waste lagoons into groundwater wells at two study sites over a period of three years. Tetracycline is widely used in swine production to treat or prevent disease and is added to feed to boost growth. Researchers found fluctuating levels of all the seven genes screened in the study and discovered they migrated from manure lagoons to some of the groundwater wells.

One of the study's authors and principal investigator, R. I. Mackie, noted that the genes travel much farther than the bacteria.



The lagoons used in the study are unlined. As of the late 1990's, new lagoons must have liners to prevent seepage, but facilities built prior to the regulation change are allowed to remain in use.

*University of Illinois at Urbana-Champaign. "Team Tracks Antibiotic Resistance From Swine Farms To Groundwater." ScienceDaily 22 August 2007. 19 February 2008 <www.sciencedaily.com/releases/2007/08/070821153926.htm>.*

### Learning to Cook with Sustainable Meats

Viking Cooking School has partnered with Niman Ranch to teach its students the differences between natural, sustainable meats and those produced through industrial agriculture.

The program, a new venture for Niman Ranch, began in October with the sustainable meat producer supplying natural meats to seven of Viking's cooking classes in 12 locations around the country.

Niman Ranch also provides a class in several Viking Cooking School sites. Its "Sustainable Meats Workshop" covers

the difference between industrially produced and sustainable meats, and it examines the health and environmental issues associated with both. Where and



how to buy sustainable meats, as well as cooking techniques, are also taught.

Viking Cooking School, a division of Viking Range Corp., provides a wide

range of culinary classes for both novice and experienced cooks.

[www.gourmetnews.com/index.php?p=article&id=gn200710FO1PzV](http://www.gourmetnews.com/index.php?p=article&id=gn200710FO1PzV)

### Allegations of Animal Cruelty at Smithfield Foods Hog Supplier

A hog farm supplier to Smithfield Foods is under investigation for animal cruelty after an undercover operation by People for the Ethical Treatment of Animals (PETA) documented daily violence towards baby and adult pigs.

A North Carolina prosecutor is investigating Murphy Family Ventures Garland Sow Farm in Garland, NC after PETA attorneys turned over several videotapes and a signed affidavit.

PETA is demanding that Smithfield Foods take a more proactive stance to enforce its animal welfare program by conducting their own internal investigations and by installing surveillance cameras at their farms and slaughterhouses.

<http://www.foxnews.com/story/0,2933,316624,00.html>

## YOUR SUPPORT KEEPS JFAN STRONG!

Continued financial support from the entire Jefferson County community helps us to uphold our mission to protect our county's health, environment and property values. Your donations help us to provide financial assistance grants, educational materials, and support our organizational efforts to help control the growth of CAFOs in our county.

Please do everything you can to donate generously to JFAN. Your support will help sustain our efforts and is deeply appreciated. JFAN is an all-volunteer organization. Your donations are tax deductible. **Thank you for all you can do!**

### MAIL IN DONATION FORM

Please cut out this form and mail it with your tax-deductible donation to:

**JFAN, Inc.**  
**P.O. Box 811**  
**Fairfield, IA 52556**

**Donation Amount:**  **\$25.00 (for JFAN Annual Membership)**  
 \$ \_\_\_\_\_

**Name** \_\_\_\_\_

**Street** \_\_\_\_\_

**City/State/Zip** \_\_\_\_\_

**Phone** \_\_\_\_\_ **Email** \_\_\_\_\_

Checks payable to: Jefferson County Farmers & Neighbors, Inc.

### Donate Online

To make a credit card donation using PayPal, go to [www.jfaniowa.org](http://www.jfaniowa.org)  
 Click on "What you can do" then click on "Make a Donation"  
 and follow the simple instructions.

### MAKE A DONATION!

Please support JFAN with your generous tax-deductible donation. JFAN has been approved by the IRS as a 501(c)(3) tax exempt educational foundation. All donations to JFAN are tax-deductible to the full extent of the law. Please consult with your personal tax advisor about any questions you may have about your donation. JFAN will send out receipts only for donations over \$250.

## MORATORIUM *continued from p. 1*

• In the wake of a three-million gallon manure spill into the Black River that killed up to 100,000 fish in New York in 2005, environmental groups called for a moratorium on both the expansion and the new construction of factory farms.



Lagoons such as these are now prohibited in North Carolina.

Photo: Ken Hammond, USDA

• Ohio State Senator Tom Roberts introduced a bill in 2006 to impose a moratorium on all new factory farms until more stringent new rules are adopted. This was five years after the passage of a controversial Ohio state law, which shifted the oversight of factory farms from the Ohio EPA to the U.S. Department of Agriculture. The bill is stalled in the State Senate Agriculture Committee.

• Research scientists from the Universities of Iowa, North Carolina, and Northern Illinois called for a moratorium on livestock confinement construction and they called for local control in November 2006. They contend, "Enough evidence exists to suggest there are clear health threats from these operations."

• In 2006, Indiana's Madison County Plan Commission approved a six-month moratorium on new permits after neighbors complained about the expansion of a local CAFO. In another part of the state in 2007, Randolph County Commissioners imposed an immediate moratorium on all CAFOs, the county's fastest growing industry. The moratorium followed the rejection of an ordinance that would have regulated the county's industrial farms, creating agricultural and residential districts.

• Michigan State Senator Raymond Basham and State Representative Mark Meadows introduced bills in 2007 that

would place a five-year moratorium on the construction of CAFOs. Additionally, the legislation would require the Department of Environmental Quality to submit a detailed report to the legislature on these operations. No further action has been taken on these bills.

• In 2007 a bill was introduced into the Indiana State Senate that would have established a three-year moratorium on new construction of CAFOs. The bill never got a hearing.

• CAFOs were a hot topic during the earlier part of the 2008 presidential primaries. Former candidate John Edwards called for a "national moratorium on the expansion of existing CAFOs and the construction of new facilities." He also proposed banning meat packer ownership

of hog lots and breaking up vertically integrated Big Pork. Both Senators Barack Obama and Hillary Clinton support stricter environmental regulations of factory farms.

### North Carolina Moratorium Leads to Changes

At the conclusion of their ten year moratorium, North Carolina passed a law that made it the first state in the country to permanently ban hog confinements constructed with lagoons and spray fields, satisfying environmentalists demands to prohibit new lagoons. New swine operations may be permitted, but only if they meet higher environmental standards as yet to be determined by the state's rule-making body.

The bill also created a \$2 million a year cost-sharing program to help farmers replace lagoons and spray field waste management systems with more environmentally friendly alternatives. The legislation also allows for repairing lagoons about to fail if they pose an imminent hazard to public health or the environment.

An environmentally progressive component of the law includes a pilot program to use methane from manure to generate electricity for up to 50 farms. However, it does not require the energy-capture technology to also address the concerns of byproducts, such as, ammonia, pathogens, and odor, sought by environmental

and community groups.

While other states and county governments have looked into a moratorium, North Carolina is the only state that instituted one into law and followed it up with an improved approach to factory farms. With the overwhelming evidence of the negative environmental and health impacts of factory farms, other states should seriously consider following North Carolina's example.

## HOPE FOR IOWA CAFO MORATORIUM FADES

BY JIM RUBIS

Last fall a number of Iowa organizations started a campaign to petition the legislature to pass a temporary moratorium halting any new construction and expansion of large livestock confinements. The moratorium would remain in place until measures could be taken to reduce the damages factory farms create in the environment and in the health of Iowa citizens.

A poll conducted in 2003 showed that 74% of Iowa citizens favored a temporary moratorium.

The effort was led by the Iowa Farmers Union and was joined by Iowa CCI, the Iowa Sierra Club, and several other organizations. Over 2000 signatures gathered from JFAN supporters in 2006 were added to the collection.

Organizations sought the temporary moratorium as a way to circumvent the legislature's deaf ear to local control. It was thought that perhaps a new plan to deal with the state-wide proliferation of CAFOs might make it out of committee so that the legislature could, at the least, have floor debate on the issue.

Now, at the end of the 2008 session, it is clear that there was almost no support for a moratorium in either the House or Senate.

For a while, one "backdoor" possibility for a moratorium remained. The DNR and Secretary of Agriculture supported legislation for a \$22.7 million taxpayer-funded study livestock odor study. This proposed legislation takes money from the whole state to address the problems caused by one industry.

While some legislators indicated they would have only supported the odor proposal if it was passed in conjunction with a moratorium on new construction, the odor study bill had enough support to pass.