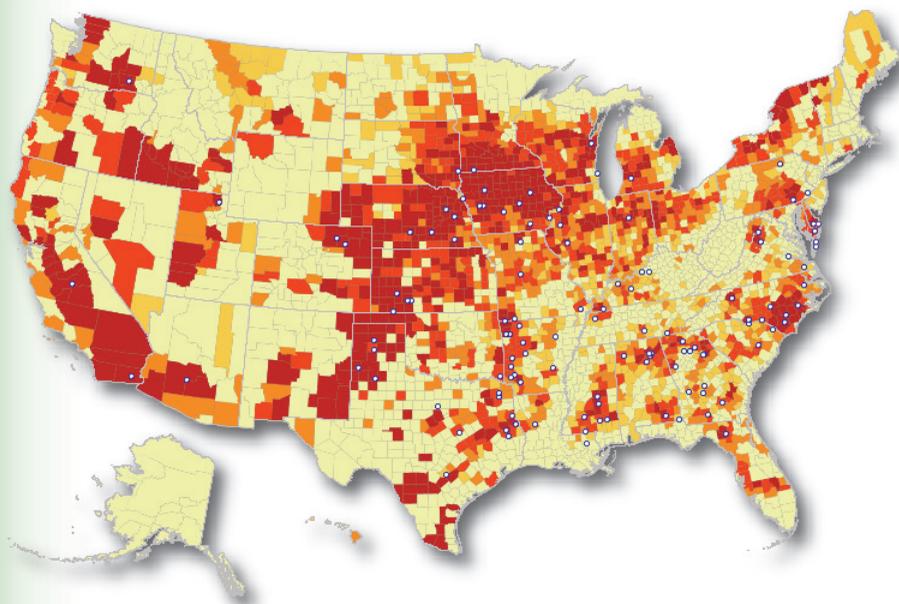




Factory Farms Continue to Dominate U.S. Livestock Industry



This Food & Water Watch graphic illustrates the concentration of factory farms throughout the United States. An interactive map is found at foodandwaterwatch.org.

Graphic: Food and Water Watch

The size of factory farms in the United States continued a two-decade trend and grew significantly larger from 1997 to 2012, reports Food & Water Watch (FWW) in a press release.

Using U.S. Department of Agriculture census data from 1997, 2002, 2007 and 2012, FWW found that factory farms continued to grow in size and number over the past fifteen years. These trends and more are highlighted in the updated version of the FWW interactive website www.factoryfarmmap.org, and its companion report, *Factory Farm Nation: 2015 Edition*.

Key national findings from the Food & Water Watch analysis include:

- **The total number of livestock on the largest factory farms rose by 20 percent between 2002 and 2012.** Animal units on factory farms increased from 23.7 million in 2002 to 28.5 million in 2012. Animal units differ from the exact number of animals. For example, one beef cattle is the equivalent of one animal unit and equates to 2.5 hogs or 100 chickens over three pounds.

- **These factory-farmed livestock produced 369 million tons of manure in 2012, about 13 times as much as the sewage produced by the entire U.S. population.** This 13.8 billion cubic feet of manure is enough to fill the Dal-

DOMINATE continued on p. 11

In the News.....

World's Largest Meat Packer to Purchase Cargill

Environmental Groups Challenge on Antitrust Grounds

In the latest chapter of meat industry consolidation, Swift Pork Company, a subsidiary of JBS S.A., is making plans to purchase Cargill Inc.'s pork business for \$1.45 billion dollars reports the *Wall Street Journal*. The week of the Cargill announcement, JBS also said it would purchase the European poultry unit of Marfrig Global Foods SA. The Brazilian-based JBS is the world's largest meat packer.

The Cargill deal would include the Excel meat processing plant in Ottumwa and one in Beardstown, Illinois, five feed mills in Iowa, Missouri, Arkansas, and

CARGILL continued on p. 13

IN THIS ISSUE

Wind Spreads CAFO Bacteria	2
Southeast Iowa Food Hub	3
Perdue Purchases Niman Ranch	4
CAFOs and the Constitution	6
JFAN Activities at a Glance	9
EPA Clean Water Rule Under Attack	10
News Briefs	12
Pork Check-off Challenged	14
Dairy Industry and The Onion	15
Idaho Ag Gag Unconstitutional	16

Joe Maxwell - More CAFOs Are Coming - What YOU Can Do

JFAN Annual Meeting • Wed. October 7 at 7:30 pm • Fairfield Arts & Convention Center

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In the News.....

Dust From Factory Farms Carries Drugs, Fecal Bacteria, and Antibiotic-Resistant Genes Far and Wide

by Tom Philpott

Mother Jones Magazine

Ever approached a feedlot teeming with thousands of cattle? Unlike industrialized hog and chicken farms, where huge enclosed buildings trap at least some of the smell, cattle feedlots are open-air – as anyone who has driven Highway 5 between Los Angeles and San Francisco can testify. Turns out, when you inhale the aroma, you're not just getting a blast of ammonia and other noxious fumes.

You're also probably breathing in tiny particles of antibiotics, bacteria from cows' "fecal matter and gut flora," and antibiotic-resistant gene sequences. That's the conclusion of a new study from Texas Tech researchers, who analyzed air samples taken just downwind of ten cattle feedlots in Texas and states to the north, each containing between 20,000 and 50,000 cows.

The team placed portable air samplers 10-20 yards upwind and downwind of feedlots in the fall and winter months, when temperatures are mild and wind is moderate, and analyzed the particulate matter. Monensin, an antibiotic growth promoter widely used on beef and dairy feedlots, turned up in 100 percent of samples, at much higher rates downwind (mean: 1,800 parts per billion) than upwind (below the level of measurement.)

Now, monensin isn't used in human medicine, meaning that it doesn't directly contribute to antibiotic resistance that affects us. But tetracycline antibiotics – used commonly to treat urinary tract infections and pink eye – showed up in 60 percent of the downwind samples and 30 percent of the upwind samples, again at much lower levels upwind.

Levels of antibiotics in the air outside of

feedlots were similar to those typically found within large enclosed hog operations.

To put these findings in perspective, the authors note they found antibiotics in the air outside of these feedlots at levels similar to those typically found within large enclosed hog operations – meaning that finding yourself 20 yards from a giant cattle lot is a lot like being inside a hog house.

They also found bacteria "common to fecal matter and gut flora" at significantly higher levels downwind than upwind, including several that can cause human infections, including including corynebacterium, Leptospira, Clostridia, Bacteroides, and Staphylococcus.

And they picked up gene sequences that confer resistance to tetracycline at rates ranging from 100 to more than 1,000 times higher downwind than upwind. And get this: Those tetracycline-resistant genes appeared at much higher rates than those typically found in the liquid manure lagoons that build up in beef feedlots—meaning that wind may be even more prolific than water at spreading antibiotic-resistant genes from the farm to the surrounding region.

So how is all this nasty stuff moving from the feedlot to the surrounding air? The authors offer a simple explanation: The ground in feedlots "consists primarily of urine and fecal material," the study notes. In the morning, all of that ... stuff is relatively stable, held more or less in place by moisture from humidity. But after hours of sunlight, the floor material "becomes dry and brittle, thus becoming source material for fugitive dust."

So what does this all add up to? The

DUST continued on p. 5



Photo: Alf Ribeiro/Shutterstock.com

Sprouting a Sustainable Local Food Network

Southeast Iowa Food Hub Works Towards a Healthy, Food Secure Region

by Arianne Pfoutz

For over a decade now, Jefferson County has been a hotbed for fresh, local food initiatives, from Buy Fresh, Buy Local programs to Homeland Harvest to FAIRfood certification for growers. The recently launched Southeast Iowa Food Hub now takes the local food initiative a giant leap forward. Its mission is to build a sustainable, local food network by increasing organic acres in Jefferson and surrounding counties and connecting local farmers to consumers who want their goods.

The SEI Food Hub serves as a middleman to coordinate regional production by aggregating (gathering food from multiple growers), marketing (finding a home for the supply) and distributing local foods grown with organic practices. Educating farmers about the benefits of sustainable agriculture and consumers about the advantages of eating organic foods is a key component of its mission, as well as community building through farm tours, community gardens, and cooking and tasting events.

The rewards? Developing a strong local economy; protecting the region's imperiled soil, water and air; and securing a bounti-

ful, nutritious food supply for generations to come. Operating under the umbrella of the Sustainable Living Coalition (SLC), the non-profit SEI Food Hub launched in November 2014 in Fairfield. It is one of six active Food Hubs in the state.

"Our goal is to increasingly displace food brought in from outside of our region," said

SLC Board Member Bob Ferguson. "A hundred years ago, 95% of food grown in Iowa was consumed in Iowa. We want to get as close to that as we possibly can – even reaching 20% to 30% would be a massive economic boon. The SEI Food Hub is developing a local infrastructure needed to do that."

Executive Director Barbara Stone brings solid organic agriculture experience to the SEI Food Hub: she was on-site operations manager of Maharishi World Peace Vedic Organic (MWPVO) for five seasons, nurturing seven field acres and three greenhouse acres from seed to harvest. She also grew up on a Montana ranch that used sustainable farming methods. But at MWPVO she added knowledge of soil science, seeds, and pest control and used her sales and marketing background to establish and maintain regional relationships with Hy-Vee, Whole Foods, and other large retailers.

"There's no better way to trans-

FOOD HUB *continued on p. 9*



Several SLC board members with SEI Food Hub staff in the inspirational vegetable patch. From left to right, Faith Reeves, Executive Director Barbara Stone, Ken Walton, Assistant Michele Schoberg, Dean Goodale, Jessie Nichols, and Stuart Valentine.

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Chipotle's Sustainable Pork Producer Just Sold Out to Big Ag But Maybe That's a Good Thing?

Perdue Farms, a Leading Poultry Producer, Is Buying Pioneering Meat Company Niman Ranch

by Willy Blackmore
TakePart.com

Few eras in American food culture are more mythic than the early days of Chez Panisse, the French restaurant Alice Waters opened in 1971 on Berkeley, California's Shattuck Avenue. In many ways, what has come to be known as the good food movement was born in the restaurant's kitchen, where small farmers and ranchers found in Waters an enthusiastic buyer and champion of their best, most interesting, most sustainable products. Her reverence for the people who produced those ingredients was such that she would feature the names of farms and farmers on the menu. And when it came to beef, Niman Ranch was the first proper noun to grace the menu when Waters started serving the company's meat in the early 1980s.

Just as the kind of seasonal cooking Waters presented at Chez Panisse has become widely popular, so too has meat from Niman Ranch, which has long been used by Chipotle for its carnitas and has become a favorite of chefs and home cooks. Now, the company that Bill Niman started in 1969 on 11 acres of seaside pasture in Bolinas, California, has landed solidly in the mainstream: On [September 8], Niman Ranch was purchased by Perdue Farms, one of the largest poultry producers in the country, for an undisclosed sum.

The sale could foretell the beginning of an era of corporate control over sustainable meat production – a trend that started years ago with other organic and natural food sectors – or signal a mass-market interest in ethically and environmentally conscious ranching that could help to change the industry's status quo.

"Maybe this is good; maybe this is bad," Nicolette Hahn Niman, author of the book *Defending Beef*, said in an interview. "It really just depends on how they carry this out – do they maintain the protocols; do they give the farmers a good price."

"It's certainly not guaranteed that they're going to do that," she said. "But there's a big opportunity to expand the

way that we believe is the right way to raise animals."

Hahn Niman, a vegetarian, is married to Bill Niman, who in 2007 left Niman Ranch



Photo: danyssphoto/Shutterstock.com

after repeated disagreements with a management team put in place after Natural Food Holdings bought the financially troubled company the year before. Niman, who is still raising livestock at his far smaller BN Ranch, has been critical of the company over the years – but he was surprisingly optimistic about the Perdue acquisition.

"I felt I was really pioneering something, and for me, if it became mainstream, I would have thought that it was a huge success," he said as he, his wife, and their young son drove up the Pacific Coast Highway near Bolinas. "Even though the industry laughed at me when I talked about hormone-free, antibiotic-free [meat], it didn't take too many decades" for everyone else to come around to it.

"Mission accomplished," he said.

Perdue, which announced earlier this year that it was phasing out all antibiotics from its poultry production, saw the writing on the wall and has made what spokesperson Julie DeYoung called a "strategic direction shift" for the company. In addition to changing medical treatments for its animals, it has increased organic production and is paying closer attention to animal welfare.

After acquiring Coleman Natural Foods in 2011 – Coleman was then a leading

producer of antibiotic-free meat – "we learned additional things about homeopathic treatments and ways to feed and care for the birds that reduced the need for treatments" across the operations, DeYoung said. Speaking with *The New York Times* on [September 8], CEO Jim Perdue suggested that the Niman Ranch acquisition could provide similar opportunities on the animal welfare front.

"We absolutely can learn from them in that area," Perdue told the *Times*. "I think they can bring us a lot of new ideas, especially in the sow production side of the business."

DeYoung added that Perdue is "committed to continuing Niman Ranch as a brand and what the brand stands for and what its customers and consumers expect – we're not planning on making any changes to how the animals are produced today."

Niman Ranch produces beef, pork, lamb, and eggs on a series of independent farms that contract with the company and are required to follow its standards. Broadly speaking, animals are fed a vegetarian diet, cannot be treated with antibiotics or hormones (antimicrobials, however, are allowed), and are raised outdoors or in pens that allow them to behave naturally. Detailed protocols for cattle, sheep, and laying hens are posted on its website.

Despite its significant expansion into what were recently considered niche markets for meat products, Perdue does not have a stellar reputation with animal rights groups. The company was sued by the Humane Society in 2010 and 2013 over its Humanely Raised Process Verified Program, which the animal welfare group alleged was no more humane than the industry status quo; both lawsuits were settled in 2014, and Perdue had to drop the term "humanely raised" from the packaging for certain products.

More recently, a video shot by Compassion in World Farming showed the sick, suffering birds on the North Carolina farm owned by Craig Watts, who raised the birds for Perdue. Watts contends that the disturbing conditions seen on his farm were not an anomaly but rather what happens when the com-

pany's best practices are followed.

Although Niman said that one of the most exciting things about his current endeavor is that the kind of pasture-based system he's using to raise his cattle cannot be industrialized (Niman Ranch beef is finished on a mixed-grain feed), he was upbeat about his former company's new phase. "I am trying to remain positive, and I think it could turn out well for the consumer," he said.

Hahn Niman explained that she saw the purchase in terms of a divide in the sustainable food moment. While some advocate solely for small-scale, know-your-farmer-type production as the only solution, she said her husband is "not just interested in feeding a few people in his community. He's really interested in making it feasible for this to become the mainstream way that meat is raised." Perdue's purchase of Niman Ranch could be another step toward making that happen.

Willy Blackmore is the Food Editor for TakePart. He has written for The Awl, The New Inquiry, Los Angeles Magazine, and others. Blackmore is a native of Fairfield, Iowa and now lives in Los Angeles.

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<http://www.takepart.com/article/2015/09/09/niman-perdue-purchase>

DUST *continued from p. 3*

study doesn't comment on whether the particles the researchers found are at high enough levels to directly cause human harm. But that's not the main concern—most of us don't spend much time near massive concentrated cattle operations. (Feedlot workers are another story.)

The larger issue is those antibiotic genes, traces of antibiotics, and fecal microbes that are being scattered far and wide. The authors note that of the nation's 2,100 large-scale (1000 head or greater) cattle feedlots, more than three-quarters are in the region of area study, the southern Great Plains (a swath stretching from northern Texas through parts of Oklahoma, Kansas, Nebraska, and Colorado) – the very region with the "highest frequency of dust storms in the United States." The region's semi-arid conditions – as well its propensity for prolonged droughts – provides an ideal environment for the "wind scouring of dry soils," and "aerial transport and deposition" of feedlot particles into "surrounding soil surfaces, water surfaces, vegetation, and other living organisms."

And that's under calm weather conditions. "Fronts and other major weather

patterns frequently sweep through this region, and are often associated with exceedingly high wind velocities which themselves transport significant masses of particulates into the atmosphere and across the region and continent," they add. And once in the environment, resistance genes can jump from bacteria that don't pose a threat to humans to ones that do, the authors note.

The study is yet another reminder that the massive amounts of waste generated on factory farms don't stay on factory farms. (A 2011 paper from North Carolina State and Kansas State researchers showing that cockroaches and flies carry antibiotic-resistant bacteria from large hog facilities; and a 2014 one from Johns Hopkins and University of North Carolina researchers finding that resistant bacteria leave the farm in the noses of workers.)

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CAFOs: A Question of Constitutional Rights

by Dr. John Ikerd
Professor Emeritus
University of Missouri at Columbia

“CAFOs are legal, so I have a right to operate one.” This is the response CAFO operators often resort to when they can’t think of any other way to answer growing public concerns. It seems logical, on the surface, but it’s not necessarily so. It was once legal to own slaves, but no one has ever had a “right” to own another person. It was once illegal for women to vote, but women have always had a “right” to participate in the political processes of democracy. It was once legal to smoke in airplanes and public buildings, but smokers have never had a “right” to force others around them to breathe second-hand smoke. That fact that something is legal doesn’t give you a “right” to do it.

“There is nothing in the Constitution that limits my rights to operate a CAFO, as long as I don’t create a legal nuisance.” Again, this might seem a logical response to questions concerning the

“rights” of CAFO operators. Again, it’s not necessarily so. The rights of the people of the United States are not limited to those



rights explicitly named in the U.S. Constitution. In fact, Amendment 9 of the Constitution states: “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

In other words, the framers of the Constitution did not attempt to enumerate all of the fundamental rights of US citizens. It clearly states that “other” rights, in addi-

tion to those named in the Constitution, were to be “retained by the people.” Some of those “other” rights were later encoded in the Constitution, such as the prohibition of slavery and women’s right to vote. Other unnamed rights have been interpreted by the courts to be covered by specific constitutional rights, such as freedom of speech and religion and the right to privacy. Some un-enumerated rights are so well-established or obvious that they have never been seriously questioned, such as the rights of self-determination and self-defense.

The American Declaration Independence states: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men.” The rights of self-determination and self-defense were not included in the Constitution because they were “self-evident.” The right of any person to determine for them-

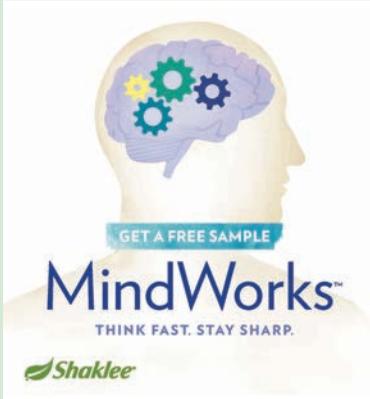


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selves when their health or well-being is being threatened and to take necessary actions to defend themselves against such threats are “self-evident truths.”

Our basic human rights to live, to make our own decisions, and a reasonable opportunity to find happiness are clearly among those “other” rights that are not enumerated in the Constitution, but nonetheless, are ensured by the 9th Amendment in the Bill of Rights. Slavery eventually was abolished by a constitutional amendment, at a time when slavery was critical to the US economy. In other cases, unnamed rights have been ensured through laws and regulations, such as those that regulate where people can and can’t smoke tobacco. In some cases, as I believe in the case of CAFOs, the basic human rights to self-defense, self-determination, and an opportunity to enjoy life are among those constitutional rights of all the people that remain as yet unclaimed.

What can be more important to the basic right to life than the right to clean air, clean water, and safe food? Stacks of public health research reports clearly link factory farms to a variety of respiratory illnesses in CAFO workers and their neighbors. CAFOs are also frequently linked to the pollution of neighbors’ drinking well

water. Monitoring by the EPA and State Departments of Natural Resources (DNR), including the Iowa DNR, consistently find agricultural pollutants in streams that exceed drinking water standards. The World Health Organization has clearly linked contamination of animal food products with multiple-drug-resistant biological organisms to the routine

What can be more important to the basic right to life than the right to clean air, clean water, and safe food?

use of antibiotics as growth promoters in CAFOs. A growing scientific consensus is identifying CAFOs as a threat to human health and potentially to life.

Americans also have a constitutional right to liberty, including self-determination. We don’t have to wait until we are shot or stabbed to resist an armed attack. In situations where a “reasonable person” would feel threatened, a person has a right to defend oneself. Despite the fact the evidence is compelling, defenders of industrial agriculture often argue there is

not yet a “scientific consensus” that a “reasonable person” would feel their health or life could be threatened by a CAFOs, although the evidence is compelling. This is what I call “the tobacco defense.” The tobacco industry argued for decades that there was no “scientific consensus” linking tobacco smoking to public health risks, although their own research indicated otherwise. In the case of CAFOs, the right of self-determination is being denied.

In the case of tobacco, the health and lives of millions of people likely were sacrificed because people failed to claim their rights of self-defense and self-determination. However, people at least had an opportunity to move away from smokers, although it might have meant giving up commercial air travel and eating in most restaurants. Moving away from a CAFO often means that neighbors must give up their homes or even the opportunity to live outside of a protected municipality.

Americans have a basic human right to the opportunity for a decent quality of life, to the pursuit of happiness, without being forced to flee their once-decent neighborhoods. Current nuisance laws are based on the premise that CAFOs oper-

RIGHTS *continued on p. 15*

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Our Activities At a Glance

JFAN Working Hard for You

by Diane Rosenberg
Executive Director

JFAN Begins Detailed Analysis of Manure Management Plans

All CAFOs designed for 1250 or more hogs are required to file Manure Management Plans (MMPs) as part of their application process. The plans are complex and take into consideration the type of soil, the content of the manure, and the lay of the land in determining how much manure can be applied to each specific field. Department of Natural Resources (DNR) officials have told JFAN that they often don't have the staffing to do a detailed analysis of each MMP submitted. As a result, sometimes errors are not caught, and too much manure may be applied to fields.

This spring, JFAN mastered the ability to conduct a thorough analysis of manure management plans, and at the request of Dallas County Farmers & Neighbors (DFAN), developed a training program to teach communities how to conduct a complete review. During this process, we found errors in all the MMPs we analyzed. Mistakes in MMPs may authorize an over application of too much manure on fields resulting in possible water pollution in excess of allowable amounts.*

To date, we have conducted two training sessions at the Iowa Citizens for Community Improvement (CCI) office with members from CCI, DFAN, and other community organizations. The complete training takes a full day, and attendees re-

ceive a 100-page manual containing detailed instructions, worksheets, and reference material from the DNR and National Resources Conservation Services essential for conducting the review.

JFAN will be implementing a program to carefully review MMPs for Jefferson County. Errors will be reported as complaints to the DNR for their investigation and follow up. As a result of the training, Iowa CCI is also moving forward with a



program that is reviewing MMP's in several central Iowa counties.

To help protect Iowa's waterways and hold CAFO owners accountable for manure over application, JFAN will continue to offer the MMP training program to communities around the state. There is a \$20 charge for each manual, but the training itself is free. Communities can contact JFAN directly to learn more at jfan@lisco.com or 641-209-6600.

** Note: There can be significant water pollution even if plans and operations are in compliance with EPA regulations. Over-application simply adds to the pollution.*

Jefferson County Health Center and Hy-Vee are also supportive clients as well as 12 area restaurants.

Encouraging farmers to grow more and grow sustainably is a major focus, along with broadening the grower base to build markets in other counties.

"We're working with seven to eight Jefferson County growers this season in addition to a Kalona farm cooperative," said Stone. "We evaluate growers through on-site visits and keep records of their growing practices."

Current primary growers are not in Jefferson County – Flint Ridge, a certified

organic collective comprised of 12 families in Kalona, provides 95% of the SEI Food Hub's produce. Stone says she would like to add significantly more Jefferson County farmers and expand production of existing growers next year.

Because meat, dairy and eggs is significant to the Midwest diet, the SEI Food Hub supports humane animal husbandry practices as pasture-raised animals are a natural part of sustainable farming practices, says Stone. It has begun working with local livestock producers and plans to expand sales in this area.

The seeds of the SEI Food Hub were sown (literally) on 12 acres of land owned by the SLC. A dedicated crew spruced up the veggie and flower gardens and brought select visitors to take a look. "It was so beautiful. I used it to lure some new members to our board," Ferguson said.

With an expanded board of directors in place, the SLC was poised for a new project. The opportunity presented itself when grant monies for Hometown Harvest director Jan Swinton dried up. Anxious to keep her working on expanding local food production, the SLC founded the SEI Food Hub with Swinton as its initial coordinator. She continued developing connections with local farmers and planned the CSA.

A defining moment occurred when the board committed to dealing only in organic produce. "In spite of some economic advantages of including conventional, we just weren't willing to work hard for less clean food," Ferguson said. They drew up a business plan, got realistic with their numbers, and bought a van to transport the fresh food.

The future lies in expanding produce offerings and product lines and exploring potential value added businesses as money generators on top of its existing produce sales revenue says Stone. But the support of the community and of foundations is also essential; all food hubs rely on outside support at least in the formative years. "We need strong financial and community support for this to succeed," says Stone.

"If we can get funding for the required infrastructure and add new products, we can increase our gross annual revenues next season," she adds. So far, \$40,000 in donations has come in. An additional \$27,000 in donations is required for a first-year break-even. Approximately \$38,000

FOOD HUB *continued on p. 11*

FOOD HUB *continued from p. 9*

form our air, soil, and water quality and sequester carbon than through organic farming," Stone said. "We need to establish the SEI Food Hub for food security and resilience needed to combat climate change impacts."

During this first year, the SEI Food Hub launched a CSA, currently at 20 members. Plans are to grow the CSA to service customers not currently purchasing local, organic produce. It provided produce for the Maharishi University of Management campus kitchen, Golden Dome Market, and Everybody's Whole Foods.

WOTUS Rule Plagued with Criticism from Pro Ag and Environmental Groups

After a year of review, comments, and vociferous criticism by agricultural and industry groups, the Clean Water Rule developed by the Environmental Protection Agency (EPA) and US Army Corp of Engineers went into effect on August 28 in 34 states. The rule, also called the waters of the US (WOTUS) clarifies and redefines which US water-



Photo: Rudd Morijn Photographer/Shutterstock.com

ways can be regulated under the Clean Water Act reports the Environmental Protection Commission.

Plaintiffs in at least 72 lawsuits, including attorneys general of 27 states (but not including Iowa), have filed lawsuits in eight federal district courts contesting the rule according to *Waterways Journal Weekly*. They range from industry groups saying the rule goes too far to environmental groups that say the rule doesn't go far enough.

Eighteen states, located in the Midwest and west, plus Alaska, also filed preliminary injunctions, and 16 were granted. These states continue to be regulated under the prior rule until litigation is resolved.

Called anything from the "biggest land grab in history of the world" to "reckless and unwarranted", by industry groups, WOTUS will now put hundreds of millions of acres under the EPA's jurisdiction. The EPA says approximately 117 million Americans – one third of the country's population – get water from streams that were vulnerable to pollution before the Clean Water Rule. The rule now regulates tributaries and water sources adjacent to US waterways.

Industry groups say the rule's definitions are too broad, it allows the EPA onto private land, and it opens the door wide to citizens' lawsuits if the Clean Water Act is not properly enforced.

On the other hand, nine environmental groups, including Waterkeeper Alliance, the Center for Biological Diversity, and the Center for Food Safety, say the Clean Water Rule is too narrow, makes concessions to industry groups, and perhaps most



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importantly, it removes some currently protected waters from regulation.

The EPA developed the rule to clarify which waters should be regulated under the Clean Water Act after Supreme Court rulings in 2001 and 2006 created confusion and uncertainty over the Clean Water Act's jurisdiction for about 60% of the nation's streams and millions of acres of wetlands.

Additional Sources: Missoulian, Forbes, Agri-Pulse

DOMINATE *continued from p. 1*

las Cowboys stadium 133 times. Unlike sewage produced in cities, the animal sewage on factory farms does not undergo any treatment.

- **The number of dairy cows on factory farms doubled**, and the average-sized dairy factory farm increased by half, between 1997 and 2012.

- **The number of hogs on factory farms increased by more than one-third, and the average farm size swelled nearly 70 percent from 1997 to 2012.** The number of hogs in CAFOs with 1000 or more animals grew 37.1 percent — from 46.1 million in 1997 to 63.2 million in 2012. The average size of a hog factory farm increased 68.4 percent, from 3,600 hogs in 1997 to nearly 6,100 in 2012.

- **The number of broiler chickens on factory farms rose nearly 80 percent** from 1997 to 2012, to more than 1 billion.

- **The number of egg-laying hens on factory farms increased by nearly one quarter** from 1997 to 2012, to 269 million.

- **The number of beef cattle on feedlots rose 5 percent from 2002 to 2012.**

Although factory farming continues to grow in the US, overall, red meat consumption has declined in the US by 10%.

According to Food & Water Watch, the growth of factory farms can be attributed to several factors. Unchecked food company mergers and corporate acquisitions have contributed to increased consolidation that allows giant agribusinesses to exert influence over livestock markets and production. Lax environmental rules and enforcement also allowed factory

farms to balloon in size without being held accountable for the tremendous amounts of waste they create.

To address the environmental, economic and public health problems created

These factory-farmed livestock produced 369 million tons of manure in 2012, about 13 times as much as the sewage produced by the entire US population.

by factory farms, Food & Water Watch recommends:

- The U.S. Environmental Protection Agency (EPA) and states should establish a moratorium on the construction of new factory farms and on the expansion of existing facilities. They must also implement and enforce appropriate environmental rules to prevent factory farm pollution.

- The Department of Justice must pre-

vent the continued consolidation of the meatpacking and poultry, egg and dairy processing industries and revisit the mergers that it has already approved to ensure that farmers get fair prices for their livestock.

- The Food and Drug Administration (FDA) must prohibit non-therapeutic use of antibiotics and other livestock treatments that facilitate factory farming at the expense of public health.

- The USDA must enforce and strengthen livestock marketing and contract regulations to allow independent livestock producers access to fair markets.

- State environmental authorities must step up their permitting and enforcement of water and air pollution regulations on factory farms.

To learn more about factory farms, visit www.factoryfarmmap.org. Read the companion report at <http://www.foodandwaterwatch.org/reports/factory-farm-nation/>

Five Counties in Iowa Among Top 10 in Hog Sewage Production in US

Graphic Reprinted from Factory Farm Nation: 2015 Edition courtesy of Food & Water Watch

Top Factory Farm Hog Counties	Hog Inventory	Human Population Sewage Equivalent (millions)	Comparable Metropolitan Area
North Carolina/Sampson	1,854,471	32.3	14 x Charlotte
North Carolina/Duplin	1,725,305	30.1	25 x Raleigh
Oklahoma/Texas	1,204,135	21.0	3 x Dallas
Iowa/Sioux	1,134,262	19.8	33 x Des Moines
Iowa/Washington	972,291	17.0	65 x Cedar Rapids
Minnesota/Martin	797,305	13.9	4 x Minneapolis-St. Paul
Iowa/Plymouth	722,227	12.6	21 x Des Moines
Iowa/Hardin	714,373	12.5	Chicago + S. Louis
Iowa/Lyon	698,205	12.2	14 x Omaha
North Carolina/Bladen	650,537	11.3	5 x Charlotte

FOOD HUB *continued from p. 9*

in sales occurred in the first three months; the SEI Food Hub's ultimate goal is to build sales to a \$5 to \$10 million range.

Since the SEI Food Hub is an educational organization as much as a for profit business, a large part of its mission is to educate farmers on organic farming practices and consumers on the health benefits of eating organic, locally grown food. Long-term, Stone envisions an institute associated with the SEI Food Hub serving as a resource for continuing education and as a platform for attracting young farmers to the profession and helping current farmers expand. The SEI Food Hub would also like to assist conventional corn and soybean farmers transition to organic



Photo: Vitalina Rybakova/Shutterstock.com

production and identify markets.

One of its educational goals is to explore the varied interests of existing growers including the potential for four-season production. Greenhouse technology, a fast-growing phenomena on the east coast and a model used by several local produc-

ers, is one of the ways production can successfully take place throughout the year.

"If we have producers willing to farm year round, the SEI Food Hub will help find and direct them to the needed funds to do that." Stone says. "Any way that we can expand sustainable organic local food production and infrastructure, feed people healthfully while restoring soil and water quality to our region is what the SEI Food Hub is all about."

A fundraiser for the Southeast Iowa Food Hub featuring local food tasting, an auction, music, and more is scheduled for Tuesday evening, November 17 at Green Building Supply. To find out more about the SEI Food Hub visit seiowafoodhub.com.

News Briefs

FROM IOWA, THE US AND BEYOND

Proposed Hog CAFO Near Lake Superior Sparks Furor

A 26,000-hog concentrated animal feeding operation (CAFO) has been proposed for the pristine region near Ashland and Bayfield, Wisconsin – prompting strong backlash from residents who fear odors and runoff pollution in the Lake Superior watershed reports the *Star Tribune*.

The Ashland County Board is preparing



Photo: Royalbroil/ Wikipedia.com

a two-year moratorium proposal to be submitted if necessary against Reicks View Farms, the Iowa based company wanting to build the \$17.7 million dollar hog operation that would be the largest in the state and the first in the watershed and the Ashland-Bayfield region.

The Farms Not Factories organization is coordinating the opposition – an uphill battle in the anti-regulatory and anti-environmental protection climate of the current Wisconsin Republican administration. Farms Not Factories wants to use operational zoning laws to force the hog lot to prove it won't pollute the water, spread disease or cause noxious odors. Reicks View plans to spread 9 to 10 mil-

lion gallons of manure yearly on 1,380 agricultural acres. The DNR said it will require a complete environmental impact study for the project.

"I can't imagine a more inappropriate place" for a large livestock facility, said Gordon Stevenson, former head of the Wisconsin DNR's agricultural runoff program and today a strong critic of the DNR.

Several members of the Bayfield opposition group contacted JFAN this spring in order to learn what they could do to stop the confinement. Two representatives traveled to Iowa to talk with neighbors of CAFOs in several locations around the state including Fairfield where JFAN organized a meeting with local residents.

The confinement has received widespread media scrutiny in Wisconsin.

Does Your Restaurant's Meat Contain Antibiotics?

The 25 largest fast food and "fast casual" restaurants were recently graded on their policies and sourcing practices regarding antibiotics in their meat and poultry supplies, and the results aren't appetizing reports CNN.

Only two of them, Chipotle and Panera Bread, received an A in *Chain Reaction*, a report published by Friends of the Earth, National Resources Defense Council, and four other advocacy groups. Both chains publically state that their meat is produced without routine antibiotic use.

Chick-fil-A received a B, and Dunkin' Donuts and McDonald's received Cs. Wendy's, Burger King, Denny's, Domino's and Starbucks received Fs, but scored at

least one point. The other fourteen scored zero points, receiving Fs: Olive Garden, Papa John's, Pizza Hut, Taco Bell, Arby's, KFC, Applebee's, Chili's, Jack in the Box, Dairy Queen, IHOP, Little Caesars, Sonic, and Outback.

Routine use of antibiotics at sub-therapeutic levels to promote growth and prevent disease in livestock is becoming a significant public health threat. As bacteria develop resistance, these medicines may not work when humans need them to fight common infections or minor injuries.

McDonald's Shifting to Eggs from Cage-free Hens

As consumer demand grows for cleaner, more natural foods – including eggs from hens not housed in cages – McDonald's announced its plan to shift entirely to eggs from cage-free hens reports *The New York Times*. Due to its huge consumption – two billion eggs annually, or 4% of the 43.56 billion produced



Photo: Bukhanovskyy/Shutterstock.com

each year in the US – the announcement will have a major impact on egg producers, and possibly lower the premium price for cage-free eggs. Less than 10% of hens live cage-free.

(Note: Cage-free is different from pastured chickens who are raised outdoors.



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Most cage-free hens are still confined in CAFOs, but are allowed to move about.)

Many producers have empty barns due to the Avian Flu that killed millions of hens this year, lending the opportunity to convert to cage-free housing. Unilever, General Mills and Sara Lee are working toward exclusive use of cage-free eggs. Walmart says it will give preferential treatment to cage-free producers.

McDonald's decision will affect nearly eight million laying hens.

Initiative Would Halt 'Extreme Confinement' of Farm Animals

Defenders of animal rights in Massachusetts have launched a ballot initiative campaign to stop the inhumane confinement and "lifelong immobilization" of veal calves, breeding sows and egg-laying hens on industrial farms reports *State House News Service*.

"This isn't just confinement. This isn't just the farming system. This is torture," said Matt Bershadker, president of the American Society for the Prevention of Cruelty to Animals.

The measure would make it illegal for farmers or facility owners in the state to confine animals in a cruel manner (with no room to stand, turn around, or extend limbs) and prohibit the sale of eggs, veal and pork from animals thus confined, either in or outside of the state.

Animal welfare groups hope to get the measure on the 2016 ballot. If they don't, they plan to collect signatures, following the ballot initiative procedure.

CARGILL *continued from p. 1*

Texas, and four corporate hog operations in Arkansas, Oklahoma and Texas.

The acquisition is a "strategic investment in the long-term growth of our domestic and global pork business and demonstrates our continued commitment to the U.S. livestock sector," said Martin Dooley, president and COO of JBS USA Pork in a Cargill news release. "This transaction will strengthen our position as a producer and supplier of all major animal proteins around the world..."

With a combined \$59 billion in sales in 2014, JBS and Cargill are the second and third largest meat packing corporations in the US and world, following Tyson Foods reports *In Motion Magazine*. The purchase would make JBS the second largest pork producer right behind Smithfield. JBS and Smithfield are both foreign-controlled companies.

Cargill wasn't considering selling its pork division, but "JBS made us an offer we had to consider," Cargill spokesman Mike Martin told the *Wall Street Journal*. Cargill will continue to operate its other global meat industries.

US antitrust authorities still need to approve the acquisition and a coalition of environmental, farming, and antitrust organizations are challenging the purchase.

The Missouri Rural Crisis Center, Food & Water Watch, National Farmers Union, Iowa Farmers Union and the American Antitrust Institute submitted a joint white paper outlining the antitrust nature of the acquisition and called upon the Depart-

ment of Justice to prohibit the merger.

"The proposed acquisition of Cargill Pork (Cargill) by JBS S.A. (JBS) would significantly reduce competition in the hog processing and slaughter industry, disadvantaging hog producers, wholesale pork buyers and, ultimately, consumers. The scale and scope of the proposed acquisition warrant substantial scrutiny by the U.S. Department of Justice," they write in the white paper, *The Anticompetitive Effects of the Proposed JBS Cargill Pork Packing Acquisition*.

If the purchase is approved, the top four pork packers would control 94.5 percent of the market in Iowa alone, 85.5 percent in Iowa and surrounding states, and 82.3 percent in Illinois-Indiana and surrounding states, says Food & Water Watch. Across the nation, the top four pork packers presently control 66% of the market; that will jump to 71% should the purchase be approved.

"The pork packing monopoly has already driven almost all the independent hog farmers out of business. The Justice Department has to stand up for America's farmers and rural communities and block this merger," says Ronda Perry, Program Director at the Missouri Rural Crisis Center and a grain farmer in Howard County, Missouri.

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Federal Court Victory May Carve Up Big Pork Scheme

by **Wayne Pacelle**
Humane Society of the United States

Even in Washington, where millions of dollars are disbursed to influence public policy, the schemes of the pork industry to divert public money to special interest lobbying efforts may be unequalled. [On August 14] in a case brought by The HSUS to stop the misuse of federal dollars to finance lobbying activities by the pork industry, a panel of judges from the D.C. federal Court of Appeals issued a ruling that threatens to choke off a \$60 million revenue stream that should have never been channeled to fund the political activities of the pork industry's chief lobbying organization, the National Pork Producers Council.

A little background is required to understand the pork industry's self-dealing and the misuse of public money to influence the operations of the government.

Under federal law, farmers of certain commodities (including pork, beef, and eggs) are required to pay a percentage of their sales into a check-off fund. These funds are intended to be used to promote the sale of farm products, and the National Pork Board is the group created to be the custodian of the money. Years ago, the Pork Board launched the now widely known slogan called "Pork: The Other White Meat." Similar programs for the cattle and egg industries we've all heard of are "Beef: It's What's for Dinner" and "The Incredible, Edible Egg."

It's bad enough that rank-and-file farmers are forced to pay "dues," if you will, to the National Pork Board, even if they don't want to participate (and many of them don't). It's bad enough that their own money is used against them, by promoting Big Ag at the expense of family farmers. And it's bad enough the govern-

ment is enabling the industry to spend tens of millions of dollars a year to promote their products (there are precious few similar programs to promote the consumption of fruits and vegetables).

But that's not the worst of it.



Photo: Dmitry Kalinovsky/Shutterstock.com

Somehow, the National Pork Board handed over this "Pork: The Other White Meat" slogan to the National Pork Producers Council. Then, after the publicity campaign ran its course and they swapped in a new marketing slogan and campaign, in a case of self-dealing that boggles the mind, the NPPC sold the slogan back to the Pork Board for a staggering \$60 million!

In short, over the next 20 years, the Pork Board would give the NPPC \$3 million a year – which is as much as a third of all money that the NPPC gets to fund its daily operations.

Today's court ruling threatens to pull the plug on this deal, and it's a potentially enormous win for animal welfare groups, small farmers, and environmentalists – since they've all felt the wrath of the NPPC's intense lobbying efforts.

Once the surcharge is collected, the money is entrusted to the federal govern-

ment to be managed properly, and it was never intended to run day-to-day operations and lobbying campaigns of an extremist industry trade association that defends keeping pigs in lifelong inhumane confinement in small cages, making a mess of rural communities by filling open-air lagoons with extraordinary volumes of liquefied manure, resisting efforts to phase out its overuse of antibiotics for non-therapeutic purposes, and blocking action to limit its significant contributions to greenhouse gas emissions and other air pollutants.

The ruling clears the way for a lawsuit filed by The HSUS, Iowa Citizens for Community Improvement, and an independent pig farmer to halt the misdirection of millions in generic commodity promotion funding to the NPPC. The court explained: "The plaintiffs claim that the Board did not buy the slogan for its value as a marketing tool. They allege that the Board used the purchase of the slogan as a means to cut a sweetheart deal with the Council to keep the Council in business and support its lobbying efforts. They maintain that the Board overpaid for the slogan and that the Board's shift to the Pork: Be Inspired campaign makes the initial slogan all but worthless."

If we prevail in the end, we will not only have done a service for animals, family farmers, and rural residents, but we will have halted corruption and a sweetheart deal to Big Pork. This sort of misdirecting of resources should never have been tolerated, and The HSUS and others should not have had to sue to secure this outcome.

Wayne Pacelle is the President and CEO of The Humane Society of the United States, the nation's largest animal protection organization.

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Dairy Industry Pairs Up with *The Onion* to Shift Public Opinion

Dairy Management Inc. (DMI), the dairy industry check-off program, is partnering with *The Onion* to create a series of satirical “news” articles to address what they call “common myths” about the dairy industry reports *Dairy Herd Management*. The articles are part of a public relations campaign targeted at millennials and designed to counter industry criticism by animal welfare and environmental groups.

The articles are written to appear as satiric fake news for which *The Onion* is known, but are sponsored by Dairy Good, an industry group representing dairy food companies. They contain links to The Udder Truth, a website developed by DMI containing three short videos addressing farm size, antibiotic usage and cow care.

In the wake of growing consumer awareness of animal welfare and food safety, the DMI ads are part of an overall industrial food sector public relations campaign to shape media coverage and public opinion. “Consumer confidence, as a whole, is about reclaiming dairy’s voice, and breaking through to help reconnect consumers to the products they know and love,” says Mollie Waller, DMI’s Chief Communication Office in the *Dairy Herd Management* article.

“...[T]he deception is pretty evident,” blogs Ken Honeywell, president of Well

Done, an Indianapolis-based advertising agency, on his website wellonemarketing.com. “The Udder Truth utterly ignores opponents’ most damning charges: for example, that dairy cows live virtually their entire lives indoors, on hard concrete floors in tiny stalls; that half of the calves that can’t be milked (because they’re boys) get sold for veal; that cows are continually artificially inseminated throughout their lives to keep them producing milk; and that, when their production begins to drop after four or five years, the cows who would normally live to about 25 are led to slaughter.

“I have no real issue with what the dairy industry is doing here. It’s unsettlingly brilliant,” he adds. “My issue is with *The Onion*. By creating sponsored content for what is essentially one side of a political cause, they’ve undermined their own authority as a satirical truth-teller.”

Large-scale industrial dairy farming continues to push small and middle size dairy farms out of business. The Food & Water Watch report *Factory Farm Nation: 2015 Edition* (see article on page 1) found that between 1997 and 2012, the US lost nearly half its dairy farms. During that time, the number of cows in factory farms increased from 2.5 million to 5.5 million, and factory farming now dominates US milk production.

RIGHTS *continued from p. 7*

ators have a right to pursue their economic interests unless their neighbors can prove otherwise. Instead, CAFO operators should be required to prove they are not denying the rights of their neighbors’ constitutional right to a living environment sufficiently clean and healthful to afford a desirable quality of life.

The Declaration of Independence clearly states that governments are established for the purpose of securing such rights. However, if the government fails to fulfill its responsibility, the Constitution gives “the people” the power to do so. The 10th Amendment to the Constitution states that “The Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, **or to the people** [emphasis added].”

In my personal opinion, the states have failed to protect our constitutional rights of self-determination and self-defense in the case of CAFOs. This means it’s up to “we the people” to find other responsible means of claiming our God-given constitutional rights to life, liberty, and the pursuit of happiness.

Dr. John Ikerd, Professor Emeritus of Agricultural Economics at the University of Missouri, Columbia, has enjoyed a 30-year academic career at four Land Grant Universities. He has authored four books and received many honors for his work in agricultural economics.

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Idaho Ag Gag Declared Unconstitutional

In a move that may have rippling effects across the nation, a federal judge in August declared Idaho's ag gag law unconstitutional reports *Climate Progress*. This is the first Ag Gag law to be successfully challenged in court.

US District Court Judge B. Lynn Winmill ruled that the Idaho law violated the First Amendment. "[P]rohibiting undercover investigators or whistleblowers from recording an agricultural facility's operations inevitably suppresses a key type of speech because it limits the information that might be later published or broadcast," he wrote in his 29-page ruling.

Leslie Brueckner, a senior attorney for Public Justice and co-counsel for the plaintiffs, is optimistic that the ruling will set a precedent for Ag Gag challenges in other states since the law was struck down on federal constitutional grounds.

"The ruling is so clear, so definitive, so sweeping. We couldn't ask for a better building block in terms of striking these laws down in other states," he told *Think Progress*.

The law's supporters claimed the videos were edited and unfairly hurt their reputa-

tions, but Winmill wrote, "The remedy for misleading speech, or speech we do not like, is more speech, not enforced silence."

Winmill's ruling also called upon the work of Upton Sinclair whose undercover reporting of serious health and safety violations in the meatpacking industry led to widespread reforms in the early 1900's. Winmill wrote, "As the story of Upton Sinclair illustrates, an agricultural facility's operations that affect food and worker safety are not exclusively a private matter. Food and worker safety are of matters of public concern."

The Idaho dairy industry lobbied Idaho legislators to pass the Ag Gag law after animal rights groups released undercover videos showing abuse on dairy farms. The 2014 law made secretly filming agricultural operations a misdemeanor with greater penalties than for those convicted of animal cruelty. Eight other states, including Iowa, have Ag Gag laws

Iowa's law, passed in 2012, is a watered down version of the Idaho law. The law was first introduced by Republicans in 2011 and supported by Senate Democrats in 2012, but the bill was effectively gutted after widespread public outcry, says an

Iowa Citizens for Community Improvement (CCI) statement issued the day after Winmill's ruling. References to photos and videos were removed from the bill.

CCI says the Idaho ruling doesn't affect Iowa's version of the law. However, CCI says they may reach out to legislators to repeal the Iowa Ag Gag law this coming year and also request an opinion on the law from the Iowa Attorney General.

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