

Public Policy Position
Comment on Michigan Department of Agriculture & Rural Development Draft 2024
Generally Accepted Agricultural and Management Practices for the Care of Farm Animals

The Animal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 273 members. The Animal Law Section is not the State Bar of Michigan and the position expressed herein is that of the Animal Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Animal Law Section has a public policy decision-making body with 14 members. On August 24, 2023, the Section adopted its position after an electronic discussion and vote. 10 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 4 members did not vote.

Oppose with Recommended Amendments

Explanation:

The Generally Accepted Agriculture and Management Practices (“GAAMPs”), published by the Michigan Department of Agriculture & Rural Development, impact millions of farmed animals in Michigan. The draft GAAMPs for the Care of Farm Animals were recently published and the Michigan Commission of Agriculture & Rural Development is accepting comments.

The Animal Law Section (ALS) is joining Attorneys for Animals, Inc., a Michigan nonprofit organization which has many members who belong to ALS, and Animal Equality, a nonprofit and 501(c)(3) animal protection organization which has a staff member who is an ALS member are submitting a joint comment. The draft: (1) ignores or downplays existential issues related to farmed animals such as sustainability and climate change and excludes relevant expertise; (2) lacks a thorough review of current science that is critical of industrial agriculture; (3) with respect to GAAMPs for Laying Chickens, and for Broilers, Turkeys, and Gamebirds, the draft pays insufficient attention to animal welfare, misstates the applicable law and incorrectly summarizes some of the sources it uses; (4) with respect to GAAMPs for mink farming, ignores the COVID-19 outbreak of the past three years and the specific impact on the industry. We recommend that the Advisory Council be expanded to include points of view of those whose focus is animal welfare-centric and not industry-centric; and that the comments on specific species be considered and the draft revised to respond.

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August 24, 2023

**Michigan Department of Agriculture & Rural Development,
Generally Accepted Agricultural and Management Practices
for the Care of Farm Animals, 2024 Draft**

Comment by:

Attorneys for Animals, State Bar of Michigan Animal Law Section, and Animal Equality

Submitted Electronically via email:

MDARD-RTF@Michigan.gov

Attorneys for Animals, Inc. (AFA) is a Michigan nonprofit and 501(c)(3) organization that includes attorneys, law students, law school graduates, and other advocates who work to improve the lives of animals. Founded in the 1990s, our mission is to work within the legal system to encourage efforts to ensure that animals are recognized, treated, and protected as individuals with inherent value. We actively follow legislative, administrative, and policy actions related to the welfare of animals, both in Michigan and nationwide.

The **Animal Law Section of the State Bar of Michigan (ALS)** is the first state-wide animal law organization in the US, having been founded in 1995. Its mission is to provide education, information and analysis about issues of concern through meetings, seminars, public service programs, and publication of a newsletter. The Section Council voted to submit this Comment in accordance with State Bar of Michigan guidelines. *See Exhibit A.*

Animal Equality (AE) is a nonprofit and 501(c)(3) animal protection organization whose mission is to create a world where animals used in agriculture are protected and respected. Animal Equality works toward this mission by engaging with public officials, private companies, and members of the public through investigations, campaigns, and other projects.

INTRODUCTION

We focus on the Care of Farm Animals draft GAAMPs (hereafter “GAAMPs” refers to the Care of Farm Animals draft GAAMPs unless noted otherwise). Our organizations are uniquely positioned to provide a broader perspective of the process of developing, revising, and approving all 13 sets of GAAMPs, and to center animal welfare concerns, in addition to commenting on specific sections of the draft. AFA and ALS submitted comments on the 2023 draft GAAMPs in August 2022.¹ There are a number of changes to the Layer Hens and Broiler section in the 2024 revisions to the GAAMPs and we will comment on those. However, we note that many other sections of the GAAMPs are unchanged, including those we commented on last year. We will revisit and, where appropriate, update last year’s comments, which remain topical, of concern, and largely unaddressed in this 2024 draft.

1. Laying Chickens--Key Issues With GAAMPs

A. The draft GAAMPs lack a thorough review of current science and lack current science on animal welfare-related issues.

Management Overview

Under the “Management Overview” section, Paragraph 1 has been updated to omit “confinement” and opted for “indoor” instead. Studies show that a majority of egg-laying hens in the United States still live in extreme confinement and are subjected to a life in battery cages. In

¹ https://www.attorneysforanimals.org/wp-content/uploads/2022/08/AFA-ALS-Comment_Care-of-Farm-Animals-Draft-GAAMPs-2023_082622-.pdf

fact, it is estimated that roughly 80% of hens in the United States live in battery cages.² We believe the replacement of the word “confinement” with the word “indoor” is not an accurate representation of how the majority of egg laying hens in the United States live their lives.

In that same section, Paragraph 2 discusses the different types of housing systems for laying hens in the United States and provides skewed and inaccurate data. To begin, the paragraph mentions that conventional cage systems consist of 6-7 hens. First there is no source listed for this statistic and it is therefore impossible to conclude where this number came from. Second, most sources actually give a range between 6-10 hens per cage³. The number given in the GAAMPs right now is not an accurate representation of current scientific findings. Additionally, there is no mention of the current and accurate welfare issues surrounding these cages which includes: the size of the cages, lack of enrichment and the ability for birds to exhibit their natural behavior, the risks of injury and spread of disease due to the cramped quarters or hens mutilating one another due to their close proximity, or any other welfare issues that have been proven to be associated with these types of cages. Additionally, there is no mention in this section that these types of cages will be prohibited in the state of Michigan for raising egg laying hens and therefore ought to be expressly noted as a violation of the GAAMPs. None of the definitions of the different cage systems mention the animal welfare issues that are associated with each system. Therefore, it is our belief that the inclusion of such welfare issues would strengthen the GAAMPs and would provide information that would allow individuals to be more informed when considering housing options for their flock.

² <https://faanalytics.org/while-cage-free-is-growing-most-laying-hens-in-the-u-s-live-in-battery-cages/>

³ See <https://www.sinergiaanimalinternational.org/single-post/battery-cages;>
<https://thehumaneleague.org/article/battery-cages#:~:text=The%20number%20of%20hens%20kept,between%20four%20and%20ten%20birds;>
https://www.wellbeingintlstudiesrepository.org/cgi/viewcontent.cgi?article=1014&context=hsus_reps_impacts_on_animals

Management Practices

Nutrition

The second sentence in the first paragraph of this section states “A maximum of 20 hens per mechanical water cup or nipple drinker is recommended.” The draft cites the United Egg Producers (hereinafter “UEP”) 2017 and 2024 reports as a source. However, the numbers stated in the GAAMPs do not align with the recommendations for caged or cage free hens. In UEP’s 2024 report for cage free hens, the recommendation is “1 nipple drinker or cup per 10 hens.” In addition, in the UEP’s 2017 cage hen report, the recommendation is a maximum of 12 birds per nipple. The number used in the GAAMPs appears to have no scientific basis and, in fact, is not supported by the very source cited. In addition, this statement on water and the statement on food do not differentiate between the unique and distinct needs of those hens that live in cage free housing and those who live in caged housing systems. As noted above, the UEP’s report for cage free hens gives a number of 10 hens per nipple drinker, while the recommendation for caged hens is 12 birds per nipple drinker. Not only do mistakes like this reflect poorly on the authors, they set up a standard that affords fewer protections to each bird. Additionally, it is our belief that this section should include numbers for food and water that reflect the needs of cage free and caged hens.

The paragraph following the one mentioned above, discusses molting of laying hens and forced molting practices. The paragraph notes that “[I]t is considered sound management for commercial flocks to induce or synchronize this molt so that all birds molt at the same time.” This sentence is cited to the source *Welfare Issues Associated with Moulting of Laying Hens*, an article written by two Australian scholars, Glatz and Tilbrook, about the Australian egg industry and which discusses all the welfare issues that are associated with forced molting practices. Not only

do the GAAMPs appear to be misquoting this article, which actually largely opposes the utilization of forced molting, but this entire section fails to mention any of the animal welfare issues surrounding forced molting that are specifically mentioned in this article. These welfare issues include but are not limited to: an increase in aggression and injurious pecking, injury due to loss of feather cover, increased stress levels in hens, and many more⁴. None of this is mentioned in the GAAMPs, despite this information coming from the very source that the GAAMPs cited to. Additionally, the following sentence, which also cites the above-mentioned source, reads “Benefits of molting for individual hens are improved feather cover and the loss of excess body weight, the latter of which is a health issue, and a return to egg production.” The way this sentence is structured conflates forced molts with natural molts. Again, the article cited discusses the *harms* of forced molting; any welfare benefits listed undoubtedly are those attributed to natural molts. It is skewed and exhibits bias for the GAAMPs to list the benefits of forced molting of hens without including a list of the harms of forced molts. It is our opinion that the GAAMPs would be strengthened and provide additional welfare benefits to the hens if they included the harmful effects forced molting has on these birds. This would also more accurately reflect the citation that the GAAMPs reference and would allow for individuals to understand the risks of forced molting when deciding how to handle their flock.

Stocking Density

In the “stocking density” section, there is additional information listed that does not adhere to the recommendation given by the cited source nor reflect the minimum standards set forth Senate Bill 174 that must be in place by the end of 2024. This section has numerous issues that we will break down in the following paragraphs.

⁴ <https://espace.library.uq.edu.au/view/UQ:093e859>

The first is the section states that “Depending on the type of bird minimum space allowance in a conventional cage system (until January 1, 2025) should be in the range of 67 to 86 square inches of usable space per bird or 1.0 to 1.5 square ft of useable floor space per bird in cage free housing systems for white leghorn type and brown strains respectively.” This cites the UEP’s 2024 report. The 2024 report is entirely for practices related to cage-free hens, thus the first half of the sentence discussing conventional cage systems cannot be attributed to this source, but rather to the UEP’s 2017 caged hen report. Additionally, the UEP’s 2017 Caged Hen report, while it should note that “decreasing space allowance in cages to below a range of 67-86 square inches per hen significantly reduces the welfare of the hen . . .” it is careful to note that the type of cage and type of bird being housed in the cage is important when considering what number within that range to use. This nuance is not included in the draft GAAMPs. It should be.

Second, the section states that there is a requirement of “1.0 to 1.5 square ft of useable [sic] floor space per bird in cage free housing systems . . .” There are two main issues with this statement. The first, is that it mentions only “white leghorn type” and “brown strains respectively” when discussing the floor space. Nowhere does the UEP’s 2024 report mention these types of birds, nor that this floor space requirement is reserved only for those types of birds. The second is the report notes that the type of cage free housing system should be taken into consideration when determining the amount of floor space. This is not reflected in the draft GAAMPs. It should be.

The third is that the language in this section is structured in a way that the reader could easily confuse the floor space requirements for caged hens and cage-free hens. As the section now reads, “67 to 86 square inches” is equated to “1.0 to 1.5 square ft.” To provide clarity, we suggest that, at the very least the section should read “Depending on the type of bird, minimum space allowance in a conventional cage system (until January 1, 2025) should be in the range of 67 to 86

square inches of useable space per bird. For cage-free housing systems, space allowance should be in a range of 1.0 to 1.5 square feet (144 to 324 square inches) per bird.” This would help avoid any confusion, ensure that the proper space requirements are abided by, and enhance welfare for the birds.

The fourth is that this section does not reflect the upcoming change in the law that will require all hens to be housed in cage-free housing systems by the end of 2024. Although it includes the parenthetical (until January 1, 2025) after discussing conventional housing systems, nowhere does this section explicitly mention that conventional housing systems will be abolished in Michigan by the end of 2024 and that all hens will need to be housed in cage free housing systems that adhere to the floor space requirements in the UEP’s 2017 Animal Husbandry Guidelines for U.S. Egg-Laying Flocks. This section of the GAAMPs needs to include information on the requirements per Senate Bill 174 to ensure that individuals are put on notice of this change and can properly plan accordingly and adhere to these requirements by the end of 2024.

The fifth is that it is our opinion that the GAAMPs need to include a provision in the stocking density section that includes the consideration of risk of disease and widespread outbreak when considering the number of hens and the space afforded to these hens in housing systems. There have been several instances of outbreaks of avian influenza (bird flu) in Michigan over the past several years, with the most recent case being detected in a flock in Eaton County in March of 2023⁵. High concentrations of birds in cramped and overcrowded housing can play a key role in these outbreaks which can pose a risk to both bird and human health. It is our belief that the GAAMPs should include a provision on disease outbreak in the stocking density section of the GAAMPs and how highly populated and cramped housing systems can lead to these outbreaks.

⁵ <https://www.michigan.gov/mdard/animals/diseases/avian/avian-influenza>

Beak Trimming and Comb Dubbing

We vehemently oppose the practices of beak trimming and comb dubbing , as they are practices that cause unnecessary pain and suffering in the birds. We believe that the sections on beak trimming and comb dubbing, as well as force molting should be removed due to the fact that these practices cause immense suffering and the stated rationale that the practices prevent feather picking, pecking, and cannibalism lacks solid scientific backing. Our view is that these sections should be omitted. If they are not omitted, we alternatively request inclusion of a discussion of the harms and risks associated with these practices in each of the sections.

It is our opinion that, if these sections are going to remain in the GAAMPs, they need to include the welfare concerns associated with them. In the beak trimming section, the report lists all of the benefits of this practice without mentioning any of the harms. In fact, the USDA has released several reports that detail the immense harm that beak trimming can cause birds, including but not limited to intense pain, psychological distress, issues with eating and drinking, and death⁶. Indeed, other studies have shown that beak trimming is extremely traumatic for birds and, if done improperly, can result in chronic pain. Beak trimming can also cause sensory deprivation, which results in less activity and can cause birds to have difficulty grasping food, preening, and nest building, and can lead to a risk of infestations and parasites⁷. The USDA has issued statements noting the animal welfare issues associated with beak trimming and have stated that “A future approach for controlling feather pecking and cannibalism in chickens should be the combination of breed, housing design and management practices, which will provide a more promising option for preventing the need for beak trimming.”⁸ While it is our belief that this practice should be

⁶ <https://www.ars.usda.gov/ARUserFiles/50201500/Beak%20Trimming%20Fact%20Sheet.pdf>

⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5741671/>

⁸ <https://www.ars.usda.gov/ARUserFiles/50201500/Beak%20Trimming%20Fact%20Sheet.pdf>

omitted from the GAAMPs as the harms far outweigh any supposed benefits, if this section is to stay, it should more accurately reflect the risks and welfare issues associated with it.

Additionally, while both the hot blade knife and infrared technology trimming techniques are mentioned, nowhere does it state that the preferred and more humane method for trimming has been determined to be the infrared trimming method. In fact, the USDA has produced reports that encourage the use of infrared beak trimming over that of hot-blade beak trimming. The report notes that infrared has several advantages compared to the hot-blade trimming which include “1.) the elimination of open wounds that contribute to bleeding, inflammation, and pain; 2.) better adaptation to eating because the changes in beak length and shape occur gradually over a 2-week period, which may better enable birds to alter their beak related behavior, resulting from a progressive adaptation, rather than an instantaneous change in the beak shape; and 3.) a reduction in the number of stressors . . .”⁹ While it is our belief that this section should be omitted (or adapted to expressly *oppose* beak-trimming) due to the animal welfare issues that surround this practice, if it has to remain, then the GAAMPs should note that infrared trimming has been shown to be less painful for the birds and cause less long-term issues.

The comb dubbing section fails to include pertinent scientific information to ensure the safety and welfare of the hens. There is virtually no scientific evidence that supports this practice and thus we believe this section should be omitted (or amended to expressly *oppose* comb dubbing). However, if this section is kept, there are several practices that afford some protections to the birds that have not been included. For example, unlike the beak trimming section, there is no mention in this section about the maximum age by which the birds should be dubbed. The section also fails to mention that a skilled and trained individual needs to be the one to remove the

⁹ <https://www.ars.usda.gov/ARUserFiles/50201500/Beak%20Trimming%20Fact%20Sheet.pdf>

comb which, leaves the door open for improper practices that could cause the birds additional harm.

Facilities and Equipment

Under the facilities and equipment section, the language utilized to describe the changes in the law as a result of Senate Bill 174 do not seem to properly reflect the language of the bill. For example, the section states that “Michigan Public Act No. 117 of October 12, 2009, requires all commercial egg laying hens to be housed so that they are able to fully extend their limbs and turn around freely . . .” However, the language in the actual statute states that “[A] farm owner or operator shall not do either of the following: (a) tether or confine a covered animal on a farm for all or the majority of the day, in a manner that prevents the covered animal from doing any of the following: Lying down, standing up, or fully extending its limbs. (b) turning around freely. The law defines “fully extending its limbs” as “fully extending all limbs *without touching the side of the enclosure*” (emphasis added) and “turning around freely” means “turning in a complete circle without any impediment, including a tether, and *without touching the side of an enclosure or another animal*” (emphasis added). The language of the GAAMPs needs to reflect the proper language of the law and include the italicized language as well as include the requirement for the birds to be able to stand up and lay down.

In addition, this section includes the phrase “and eggs may no longer be sold from conventional caged systems by January 1, 2025, according to Michigan Public Act No. 132.” Again, this does not seem to directly correlate with the language of the law. The law states that “Notwithstanding any other provision of law and subject to subsections (5) and (9), for the purposes described in section 1, a business owner shall not knowingly engage in the sale of any shell egg in this state that the business owner knows or should know is the product of an egg-laying

hen that was confined in a manner that is inconsistent with the requirements of this section.” For egg laying hens, that means that they must be housed in a cage-free housing system. It would be more precise to state that “eggs may only be sold from hens who are housed in cage free housing systems.”

B. The draft GAAMPs add a section entitled “Rooster Welfare” that lists two practices that they admit are an “impingement on the rooster’s welfare and discouraged from use.” This section should be omitted.

The draft GAAMPs include a newly added section entitled “Rooster Welfare.” This section discusses the use of roosters to fertilize egg production, protect hens from predators, and to mitigate the social dynamic of the hen flock. This section includes a provision that discusses how to handle a rooster’s crowing so as not to create a noise nuisance with devices called a crow collar or a rooster box. The author admits later in this section that “Both methods are considered an impingement of the rooster’s welfare and are discouraged from use.” Neither device has been backed by any reputable source as safe and effective. There have been no long-term studies found that look into the physical and/or psychological effects these devices can have on roosters. The few sources that do mention these devices caution against the use of the collars, as it inhibits a rooster from exhibiting its natural behavior and poses a choking risk to the bird. Additionally, there is evidence that rooster boxes pose risks to the welfare of the birds as they force the birds into cramped, dark, quarters with poor ventilation that can cause dust and debris to enter their lungs. All in all, there is little to no scientific evidence that these devices are useful and, most importantly, are safe to use on the birds. In fact, the wording in the section even states that these devices are “considered an impingement on the rooster’s welfare . . .” Therefore, it is our opinion that this

section should be omitted from the GAAMPs, or revised to expressly oppose the use of these devices.

2. Broilers, Turkeys, and Gamebirds—Key Issues with GAAMPs

A. The draft GAAMPs lack a thorough review of current science and lack current science on animal welfare-related issues.

Beak Trimming and Specs

We vehemently oppose the practices of beak trimming and toe trimming, as they cause unnecessary pain and suffering in the birds. We believe that the sections on beak trimming and toe trimming should be removed due to the fact that these practices cause immense suffering and have not been fully backed by science to prevent things like feather picking, pecking, and cannibalism. If these sections are not omitted or revised to expressly oppose these practices, we at the very least request inclusion of the harms and risks associated with these practices in each of the sections.

It is our opinion that, if these sections are going to remain in the GAAMPs, they need to include the welfare concerns associated with them. To start, in the beak trimming section, the report lists all of the benefits of beak trimming without mentioning any of the harms. In fact, as noted above, the USDA has released several reports that detail the immense harm that beak trimming can cause birds including but not limited to intense pain, psychological distress, issues with eating and drinking, and death¹⁰. Indeed, other studies have shown that beak trimming is extremely traumatic for birds and if done improperly, can result in chronic pain. Beak trimming can also cause sensory deprivation, which results in less activity and can cause birds to have difficulty grasping food, preening, and nest building, and can lead to a risk of infestations and

¹⁰ <https://www.ars.usda.gov/ARUserFiles/50201500/Beak%20Trimming%20Fact%20Sheet.pdf>

parasites¹¹. The USDA has issued statements noting the animal welfare issues associated with beak trimming and have stated that “A future approach for controlling feather pecking and cannibalism in chickens should be the combination of breed, housing design and management practices, which will provide a more promising option for preventing the need for beak trimming.”¹² In addition, although the section notes that “commercial broiler chickens typically do not require beak trimming or conditioning unless they are members of the breeding flock,” it fails to clearly state that this practice is not recommended in these types of birds, which we believe should be included. As well, nowhere in the section is there an inclusion of at what maximum age and by what methods should this practice be done. This is necessary to ensure that the birds are not subjected to unnecessary and prolonged suffering and that individuals are aware of the recommendations. While it is our belief that this practice should be omitted from the GAAMPs as the harms, in our opinion, far outweigh any supposed benefits, if this section is to stay, it should more accurately reflect the risks and welfare issues associated with it.

Toe Trimming

We also believe that the toe trimming section should be omitted from the GAAMPs and, at the very least, additional welfare information should be included to ensure that the birds are not subjected to additional and unnecessary suffering. According to studies, toe trimming has been associated with reduced growth rate and higher early mortality¹³. The harms and risks of toe trimming are not mentioned in the GAAMPs, and it is our opinion that this discussion should be included. Additionally, this section, like the beak trimming section, does not mention the recommended maximum age of the bird for this procedure, nor does it provide information on the

¹¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5741671/>

¹² <https://www.ars.usda.gov/ARSUserFiles/50201500/Beak%20Trimming%20Fact%20Sheet.pdf>

¹³ <https://www.humanesociety.org/sites/default/files/docs/hsus-report-turkey-welfare.pdf>

recommended methods. This information is critical in ensuring that the birds are shielded from additional and unnecessary pain and suffering. While we believe that the practice of toe trimming should be omitted from the GAAMPs, at the very least there should be additional research done and included in the section to ensure that all animal welfare issues are addressed.

3. The 2024 draft GAAMPs continue to ignore or downplay existential risks related to farming animals, such as sustainability and climate change, and exclude relevant expertise.

We continue to stress that any viable management practices for the care of farm animals must consider the clear and direct impact that the industry has on the changing climate, as well as the impact that the changing climate has on the care and welfare of these animals. Researchers from Texas A&M University’s Department of Agricultural Economics have weighed in on this precise issue in the 2022 *Atmosphere* journal, noting:

The interaction between ongoing climate change and demands for increasing livestock production makes it challenging to increase production while lowering climate impacts and Greenhouse Gas (GHG) emissions. Addressing such challenges requires an understanding of climate change effects on livestock production, as well as the effect of both adaptation and mitigation actions.¹⁴

We noted in last year’s comments that the United Nations adopted a resolution titled “Animal welfare–environment–sustainable development nexus”¹⁵ in March 2022, recognizing this connection. Additionally, the World Organisation for Animal Health continues to maintain “Improving the sustainability of animal production” as one of their strategic objectives¹⁶ and

¹⁴ *Atmosphere* 2022, 13(1), 140; <https://doi.org/10.3390/atmos13010140>

¹⁵ <https://wedocs.unep.org/bitstream/handle/20.500.11822/39731/K2200707%20-%20UNEP-EA.5-Res.1%20-%20ADVANCE.pdf>

¹⁶ <https://www.woah.org/en/who-we-are/strategy/>

provides significant support, research and collaboration on these topics. Yet the Advisory Committee cites none of these resources. We call on this Commission to ask the Advisory Committee to examine and incorporate the impacts of climate change into the Care GAAMPs for before they are adopted.

4. Depopulation Recommendations in the 2024 GAAMPs continue to ignore lack of consensus among veterinarians to support Ventilation Shutdown (VSD).

We said last year that it is irresponsible to support the use of Ventilation Shutdown (VSD) as a “Generally Accepted Practice” when there are clearly preferred methods of depopulation that are both more effective and, importantly, more humane¹⁷. In last year’s comments, we noted that there was a pending resolution within the AVMA to reclassify VSD as “Not Recommended” and the debate within that community continues, as veterinarians registered for a symposium this year continued to clash on the practice.¹⁸ We call on this Commission to ask the Advisory Committee to review the Veterinarians Against VSD website¹⁹, as to why VSD should not qualify as a generally accepted practice, and update the 2024 GAAMPs to at least raise concerns, but preferably to disqualify, the practice.

5. A renewed request to expand the expertise on the Advisory Committee to ensure all viewpoints are considered.

While the Right to Farm Act (RTF) specifies²⁰ the composition of Advisory Committees, the current Care of Farm Animals committee reflects a narrow point of view which excludes many

¹⁷ <https://www.vavsd.org/about>

¹⁸ <https://news.vin.com/default.aspx?pid=210&Id=11349820&f5=1>

¹⁹ <https://www.vavsd.org/new-page>

²⁰ §286.474(8)(a) and §286.472(d) - <http://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-93-of-1981.pdf>

stakeholders. This exclusion is not statutorily prescribed. In fact, the statutory mandate calling for representation from “other professional and industry organizations” gives this Commission authority to appoint representatives from a wide variety of perspectives and viewpoints. There is a glaring omission of professional and industry voices whose main concern is the care of farm animals, *whether or not a particular practice impacts profit*.

The Commission also is charged by RTF act with giving "due consideration" to the recommendations proposed in the draft GAAMPs. Commissioners do not have to accept them without question and can ask for clarification or additional information. The Commission must take into account the fact that the committee is not representative of the various stakeholders -- including the animals themselves-- in determining how much consideration is due the draft GAAMPs. We call on this Commission to exercise its authority to appoint members of Advisory Councils to represent all stakeholders; and until this happens, to treat with skepticism the recommendations in the GAAMPs.

6. As with the 2023 GAAMPs, these 2024 GAAMPs completely ignore the reality of the recent past for its Mink Farm recommendations.

We provided news articles and evidence in our comments last year that these Mink Farm GAAMPs were inadequate, noting that “...the draft must acknowledge the impact of COVID-19 and the reality of the past two years of Michigan’s mink farming. Multiple reports detailed that Michigan mink farms were embroiled in ‘spillover’ outbreaks of the coronavirus, in animal-to-human transmission that allegedly were kept secret from the public, both at the state and national levels.”

The draft GAAMPs make no changes. This flies in the face of continued warnings from the scientific community that these lightly regulated farms pose continued threats to public health

and must be more heavily regulated, which includes tightening up existing ‘generally accepted management practices.’

From bird flu outbreaks at mink farms in Finland just in the past few months,²¹ to warnings in the latest issue of the Proceedings of the National Academy of Sciences journal that “mink, more so than any other farmed species, pose a risk for the emergence of future disease outbreaks and the evolution of future pandemics”,²² these GAAMPS must be updated to recognize this very real threat.

In July of 2023, Harvard Law School’s Animal Law & Policy Program , in conjunction with New York University’s Center for Environmental & Animal Protection, released a report entitled “Animal Markets and Zoonotic Disease in the United States.”²³ In this report, minks are mentioned more than 80 times and they stress that the “threat of disease spread is high in fur farms where animals with low levels of genetic diversity are held in high densities and in poor conditions with no regulatory oversight.”²⁴ We call on this Commission to ask the Advisory Committee to review the latest science and information surrounding minks and these very real public health risks, before it is too late and the public is left without recourse if proper care is not exercised.

CONCLUSION

It is our belief that these GAAMPs are flawed for all of the reasons laid out herein, and we conclude these comments by stating the Commission has both the authority and the duty to require

²¹ <https://www.statnews.com/2023/08/11/bird-flu-researchers-finland-mink-farms/>

²² <https://www.pnas.org/doi/10.1073/pnas.2303408120>

²³ <https://animal.law.harvard.edu/wp-content/uploads/Animal-Markets-and-Zoonotic-Disease-in-the-United-States.pdf>

²⁴ Id. at page 77.

these GAAMPs are amended to fix these flaws, as we have laid out in detail. We appreciate the Commissioners giving due consideration of our suggestions for 2024 revisions to these GAAMPs.

EXHIBIT A