

FARMED ANIMALS: LAW & POLICY

Course Outline

Course Title and Credits:

“Farmed Animals: Law & Policy” (Intensive two week summer course, 2 credits, taught by Joyce Tischler)

Course Description:

Many students who are interested in the study of animal law consider farmed animal issues to be of particular import. The legal issues that arise are varied and complex, depending, in part, on how farmed animals are defined and the context in which they are found such as “factory farms,” “family farms,” “backyard pets,” laboratory research facilities, etc. In this two-week summer intensive course, students will analyze federal and state laws relevant to farmed animals, comparing them to the laws and regulations governing farmed animal treatment in Europe. The class will examine the current response to consumer health, safety and humaneness concerns, as well as environmental legal and policy issues relevant to farmed animals, including land use laws and standards, public and private nuisance claims, claims under the Clean Water and Clean Air Acts, tax abatement arguments and other related local, state and federal legal issues.

Course Outline:

The seminar will be taught in 9 days, each day a three-hour session. The primary topics to be addressed are:

- a. What is (and is not) a “farmed animal?” Which species and in what contexts are animals defined as “farmed or farm animals,” “livestock,” “poultry” (and other related terms); what are the legal implications of such definitions and what are the underlying public policies that support disparate contextual standards?
- b. Common factory farming practices in the U.S.; the differing perspectives offered by the animal agribusiness industry, scholars focused on animal agriculture, individual family farmers and animal welfarists.
- c. Factory farming legislation and practices in Europe and the European Union.
- d. (U.S.) federal Humane Methods of Slaughter Act, federal Humane Transport Act and state equivalents.
- e. State criminal anti-cruelty laws relevant to farmed animals and exemptions from coverage.
- f. Other state and federal laws related to farmed animals.
- g. The use of initiatives to improve conditions for farmed animals, such as Prop. 2 in California.
- h. Consumer protection laws and cases: food-borne disease and food recalls.

- i. Consumer preferences: Humane labeling of farmed animal products.

- j. Environmental issues relevant to farmed animal agricultural practices. Application of the federal Clean Air Act and Clean Water Act; state environmental laws, nuisance and abatement claims, CAFO applications and licenses, impact of animal agriculture on climate change.

Method of Evaluation:

This two-week summer intensive course will be graded 30% based upon course attendance and the quality of in-class discussion. The other 70% will be based on an essay examination given on the last day of the class.