



**New York Farm Bureau**  
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# MEMORANDUM OF OPPOSITION

**Senate Bill 8724 (Senator Lanza) / Assembly Bill 11070(Assemblywoman Rosenthal)**

**AN ACT TO AMEND THE PENAL LAW, IN RELATION TO CODIFYING ANIMAL CRUELTY LAWS UNDER SUCH LAW; TO AMEND THE GENERAL BUSINESS LAW, THE FAMILY COURT ACT, THE CRIMINAL PROCEDURE LAW, THE ENVIRONMENTAL CONSERVATION LAW, THE PUBLIC AUTHORITIES LAW AND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO MAKING NECESSARY TECHNICAL AND CONFORMING CHANGES; AND REPEALING CERTAIN PROVISIONS OF THE AGRICULTURE AND MARKETS LAW RELATEING THERETO**

**Date: 6/5/2018**

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New York Farm Bureau, the state's largest agricultural advocacy organization, respectfully opposes this legislation. The policy changes presented in this bill raise several concerns for the farm community, which are enumerated below.

This legislation troubles New York's family farms as it would see a statutory loss of involvement of the State Veterinarian, whose office is housed at the Department of Agriculture and Markets. The State Veterinarian's office can be requested to consult on cases of alleged animal cruelty and can issue opinions in cases that involve approved animal husbandry practices, when these practices are misconstrued by the public as mistreatment.

In addition, this bill brings into question whether established animal care standards or guidance provided by the State Veterinarian will be regarded as mistreatment or cruelty. New York's livestock farmers do not condone animal abuse or mistreatment and take great pride in their farms and the handling of animals under their care. Improving farm animal care and treatment is an ongoing priority on New York's family farms. These farms take advantage of valuable programs designed to facilitate both animal health and farm profitability, including the NYS Cattle Health Assurance Program and PRO-DAIRY. At minimum, these programs utilize established best management practices and guidelines developed by experts at Cornell University and approved by the State Veterinarian. Farmers proactively utilize these programs in close

consultation with their farm veterinarian with great success and improvement to the individual farm and statewide herd.

Farm animal cruelty laws are already in statute under Agriculture and Markets Law and have been for decades. Moving these laws from Agriculture and Markets Law to the Penal law for higher visibility or ease of training law enforcement is, in our opinion, duplicative at best and will unfairly criminalize farmers, at worst.

While New York Farm Bureau vigorously opposes the mistreatment or abuse of livestock or any farm animal, we do not support the wholesale statutory change proposed in this bill which adds no tangible, additional protections for farm animals or enforcement capability for local law enforcement.

To address the need for better training and clarity for local law enforcement to be able to quickly and accurately recognize and cite violations of animal cruelty law in the field, we recommend that New York State provide adequate and on-going training to new and current law enforcement officers on existing animal cruelty laws and guidance from the State Veterinarian to further bolster their enforcement efforts. In addition, if any statutory changes need to be made to help law enforcement enhance their efforts to combat farm animal cruelty cases, New York Farm Bureau supports working within the parameters of the current Agriculture and Markets Law to enact these changes.

For these reasons, New York Farm Bureau respectfully requests your opposition to this legislation.