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# FACTS: DOWNED ANIMALS

## A HALF MILLION DOWNER COWS

stagger toward kill floors each year, most from industrialized dairy operations. By the time they reach stockyards, they can't stand or walk. Once down, organs collapse against organs, slowly choking out life. Workers use tractors and forklifts to drag animals upright. They're shocked, pounded, hauled in chains. No definitive law exists to end their agony or keep them out of the human food chain, even though scientific evidence shows downers harbor BSE (Bovine Spongiform Encephalopathy) or **Mad Cow Disease** and other dangerous foodborne pathogens.

**1986:** Dead cows, sheep, pigs and goats are routinely ground into feed for live animals, until an outbreak of mad cow disease (Creutzfeldt-Jakob disease in humans) sweeps the UK and Europe. Over 15 paranoid years, 3.7 million cows are prematurely killed in the UK alone.

**1997:** Almost a decade later, U.S. Food & Drug Administration bans ground meat and bone (MBM) as feed for cows. The ruling still lets producers mix bovine proteins in poultry and pig feed. No one knows if mad cow jumps from cow to pig, chicken or sheep. By Jan 2002, FDA reports 20% of U.S. feed plants ignore preventative guidelines and many fail to adequately label goods.

**12/30/03:** USDA bars downers from human food supply in response to a Washington state dairy cow with bovine spongiform encephalopathy (BSE). Then USDA Sec. Ann Veneman bans eye, skull and brain tissue from cattle over 30 months. Advanced Meat Recovery System and air-injected stun guns nixed too.

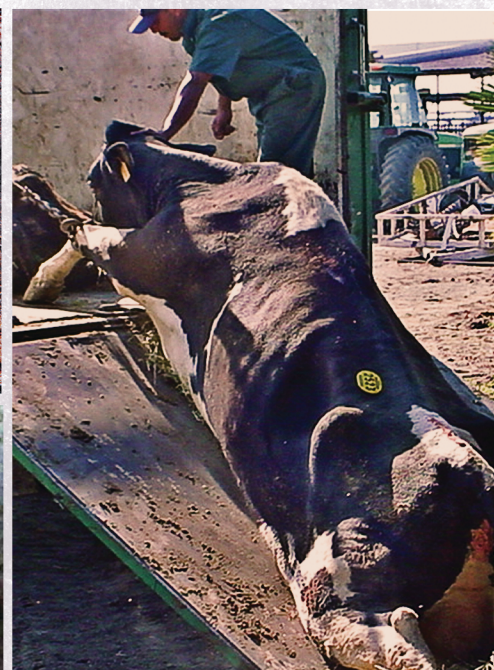
**2005:** A second mad cow in Texas verifies link between downers and BSE. But Bush admin tries to dilute USDA rule by omitting non-ambulatory animals who break limbs during transport — discounting fact sick animals (especially with neurological symptoms) are prone to collapse and break bones. By 7/07: USDA softens ban to let certain downers pass into food chain.

**9/2008:** U.S. Senate again rejects a measure to ban non-ambulatory cattle from becoming food.

**3/14/09:** Obama admin permanently bans slaughter of cows unable to stand on their own and closes a loophole that kept injured downers alive for slaughter inspection. This is a cows-only USDA RULE. Still no downer LAW.



PHOTOS: FARM SANCTUARY



**2011-2012:** Rep Gary Ackerman introduces the longstanding **Downed Animal and Food Safety Protection Act**, though no major actions have occurred since referred to House Subcommittee on Livestock, Dairy, and Poultry 1/17/12. The Act "[provides for] humane treatment, handling, and disposition of nonambulatory livestock... including nonambulatory livestock be humanely euthanized."

**1/23/12:** U.S. Supreme Court overturns California law, Sec. 599f, enacted to protect non-ambulatory pigs and other animals from slaughterhouse abuse. Nat'l Meat Assoc. and American Meat Assoc. fought the law. While Justice Elena Kagan said "many nonambulatory pigs become disabled in transit or after arrival at a slaughterhouse," she still sided with other justices in a unanimous decree that no state can impose rules that "fall within the scope of the [Federal Meat Inspection] Act."

## ASK U.S. CONGRESS & USDA TO:

- Pass a LAW that bans transport, marketing, slaughter of downed cows, pigs, sheep, goats...and all "livestock."
- Forbid use of downer animals in "pet" and "livestock" foods.
- Enforce ban on chains, forklifts, trucks, shock prods...to move animals.
- Mandate training to prevent animals from becoming downers in the first place.

FIND YOUR LEGISLATORS & THEIR CONTACT INFO: [www.Congress.org](http://www.Congress.org) • [www.senate.gov](http://www.senate.gov) • [www.house.gov](http://www.house.gov)



## HALLMARK DOWNERS EXPOSED + MASS BEEF RECALL

► **DOWNER ABUSE IN MAINSTREAM NEWS:** 1/30/08, Undercover video from Humane Society of U.S. (HSUS) depicts Hallmark Meat Packing Co. workers who kick, ram, shock, harass, and waterboard incapacitated cows. USDA's Food Safety and Inspection Service (FSIS) concludes Westland-Hallmark Meat fails to comply with laws that deter animal abuse and keep downers out of food chain.

**NATIONAL SCHOOL LUNCH:** USDA suspends Hallmark-Westland Meat Packing Co. as a supplier to America's School Lunch Program. 2/1/08: Hallmark-Westland voluntarily halts all operations.

► **LEGAL ACTIONS:** 2/4/08, USDA/FSIS withdraws inspectors from Hallmark Meat Packing, citing "egregious violations" of animal care rules.

**San Bernardino County D.A. files criminal charges against Hallmark-Westland:** 2/15/08, In possibly the first felony for slaughterplant abuse, police spot 11 illegal actions in HSUS video shot Oct 11 to Nov 9, 2007. Daniel Ugarte Navarro (prior Hallmark pen manager) faces 8 yrs-8 mos in jail if convicted of 5 felony + 3 misdemeanor cruelty counts. Luis Sanchez (Navarro's assistant) faces 3 yrs for 3 misdemeanor counts of machinery use to maneuver animals.

► **LARGEST MEAT RECALL:** 2/17/08, USDA activates a Class II recall of 143,383,823 pounds of U.S. beef. "Adulterated" meat may surpass a billion lbs, since Hallmark beef was mixed with other meat.

**HSUS SUES FEDERAL GOVERNMENT,** 2/27/08: HSUS files suit in U.S. District Court, alleging USDA's 2007 rule change (that lets some downers into food chain) jeopardizes human health and animal welfare. They ask USDA to close the loophole.

**CONGRESSIONAL HEARINGS,** 2/28/08, begin in Senate Agriculture, Rural Development Appropriations Subcommittee to assess inspection blunders. Ag Secretary Edward Schafer strikes down calls from Democratic senators to ban slaughter of downer cows.

**DOWNED COW BAN REINFORCED,** 3/14/09: President Barack Obama permanently bans slaughter of downed cows and closes the loophole that left some downers unprotected. Ban only applies to cows and is a USDA administrative rule, not a law. Still, it's a step beyond the prior admin's inertia. No dying animal should be rammed upright with tractors and forklifts...hauled, shocked and pounded...so meat makers can eke about \$30 out of her tortured body.

► **BEFORE HALLMARK SCANDAL:** Westland-Hallmark case blows the lid off a Pandora's box of lax rules that don't shield humans from disease or sick animals from torture. FSIS failed to screen sick cows long before Hallmark recall. *Los Angeles Times*

**HALLMARK'S HISTORY OF USDA TRANSGRESSIONS:** 2006, USDA finds that Hallmark had killed cows forced upright for pre-slaughter inspection since Feb. 2006. 2005: USDA records animal welfare breaches, such as "too much electric prodding."

1996 & 2004: Two California humane groups contact USDA repeatedly after their probe unveils 11 instances of animal abuse at Hallmark. 1993: Farm Sanctuary films Hallmark jostling debilitated animals with forklifts.

► **NEPT, OLD FASHIONED:** "USDA's inspectors are locked into an antiquated form of inspection that doesn't fill the bill on food safety or animal welfare." 2008, *Mike Taylor, past USDA food-safety official*

**12/9/08: An Inspector General audit shows 50% of kill plants fail passing grades.** "In most industries, a 50% failure rate qualifies as a systemic problem." CattleNetwork, Hallmark/Westland Might Not Be An Anomaly

**4/14/08: Stan Painterhead, head of a union representing 6,000 federal food inspectors, tells House Oversight and Government Reform subcommittee that the Agriculture Dept. tries to intimidate employees who report violations.** After a mad cow scare in 2003, he told superiors new food safety regulations for slaughtered cattle were not uniformly enforced. Painter was told to drop the matter, and when he didn't, was grilled by department officials and then placed on disciplinary investigative status. He says supervisors tell workers to "let the system work" rather than cite slaughterhouses for violations.

**2007/2008: USDA claims 1,000 inspection posts are vacant.** FSIS Field Operations supervises just 7,600 inspectors for 6,200+ slaughter/processing plants. Inspectors admit to Associated Press (2/22/08) that a scant work force allows abuse of animals headed to kill floors. "At times inspectors who examine cattle for mad-cow disease are so short-staffed [they] peer down from catwalks at hundreds of animals, looking for telltale signs like droopy ears, stumbling gait and facial paralysis."

**2004: Cows in Canada and U.S. — originally considered non-ambulatory as a result of calving injuries, pneumonia, and a broken leg — test positive for mad cow disease and initiate worldwide panic.** Without an industry-wide ban on the transport, marketing and slaughter of ALL downed animals, USDA plays a guessing game.

► **CRONYISM, USDA-STYLE:** Big Meat regulates itself, due in part to a consolidated trade with Tyson, Cargill's Excel, Swift & Co., and National Beef dominating 71% of the market. In 2006, the livestock trade lavished \$4.5 million on lobbyists. National Cattlemen's Beef Assoc. PAC gave close to a half million dollars for a political gift that capped \$5 million. 1990 to 2006: Agribusiness gave over \$381 million to GOP campaigns, Center For Responsive Politics.

Policymakers and cattlemen are almost indistinguishable. A USDA Communications Director was a Nat'l Cattlemen's Beef Assoc. public relations director. Chief of Staff for former USDA Sec. Ann Veneman was Cattlemen's legislative affairs director. USDA Deputy Under Secretary for Marketing and Regulatory Programs boasts 15 years with the cattle guys. And so on. Critics question USDA's dual role as regulator of the same agri-products it promotes.

► **MAD COW CONNECTION:** Downers have a strain of BSE (Bovine Spongiform Encephalopathy) or mad cow disease. Virus-like prions in BSE can trigger Creutzfeldt-Jakob Disease, a fatal nervous system infection in humans. CJD causes neurological symptoms such as amnesia and coordination loss. A U.S. Congressional Government Accountability Office study defines the incubation phase for mad cow as 2-8 years in animals and 30 years in people. Of 15 mad cow cases on record in North America, all originated in downer cows.

Transmissible Spongiform Encephalopathy (TSE) has surfaced in deer, elk, sheep, goats. No one knows how TSE jumps the species barrier; all downers are suspect. Impaired animals collapse in feces and have no immune defense against E. coli or Salmonella bacteria. E. coli has prompted recalls of some 30 million pounds of beef since April 2007. Animal welfare and human safety are sacrificed for revenue when goods come from animals at risk for TSE and other transmissible disease pathogens.