

## **Animal Welfare, Ethics and the U.S. Dairy Industry: Maintaining a Social License to Operate**

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### **Introduction**

In comparison to other animal industries, the welfare of dairy cattle may appear to be unproblematic. Dairy production is often viewed relatively positively by members of the public, perhaps in part because many people enjoy bucolic scenes of pastured dairy cattle grazing near public roadways. Further, the ubiquitous “Happy Cow” commercials developed by the California Milk Board have been tremendously effective in perpetuating positive (albeit unrealistic) images of dairy production. Nonetheless, despite these positive aspects, it is important for the dairy industry to recognize that public scrutiny relative to U.S. farm animal production is higher than at any point in recent history, and consequently, many standard industry practices are increasingly being exposed and challenged. Further, given the fact that the dairy industry has significant welfare issues to address (as is the case for all of the animal industries) and that consumers use animal welfare to indicate other important product attributes, e.g., safety and healthfulness (Harper and Makatouni, 2002), it is imperative to avoid even the appearance of complacency relative to both the scientific and socio-ethical concerns associated with modern dairy production.

### **What are the concerns and what is their basis?**

In order to understand concerns about animal welfare, one must first recognize the myriad of different ways in which welfare is defined. For example, farmers may think of welfare as being “just good husbandry,” and believing that they already do a good job in this area, may see little need to alter their practices (Reisner, 1992). One applied ethologist may consider the feelings of animals to be the utmost priority (Duncan, 1996), while another may propose that welfare encompasses animals’ physical, mental, and behavioral health (Broom, 1988). A philosopher, on the other hand, may argue that good welfare requires that animals be allowed to live according to their “telos” or inherent natures (Rollin, 1995).

Regardless of which definition is chosen, animal welfare concerns are ultimately about animal quality of life. The challenge for contemporary dairy production is to clearly articulate what that quality of life should look like, while keeping in mind that members of the public, who may also be consumers, may have their own ideas on the subject, and that these ideas should not be dismissed as irrelevant or unimportant. Moreover, it is important to realize that while most people *presume* that farmers take good care of their animals (as in they meet the animals’ needs for food, water and shelter), many are increasingly concerned that especially in “industrialized” farming, there is insufficient *care*

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*about the experience the animals are having or the quality of life they are living.*

Failure to address these concerns from a scientific and ethical perspective provides impetus for concerned citizens to attempt to externally regulate the industry's practices. Such efforts have been underway for several years and have gained traction given the public's concerns about the need to better protect farm animals. For example, a 1995 Gallup poll showed that 91% of those surveyed disapproved of veal calf housing, while in 2003, 62% supported passing strict laws governing farm animal treatment. More recently, a 2004 survey of Ohioans found 75% of respondents agreed or strongly agreed that "farm animals should be protected from feeling physical pain" (Rauch and Sharp, 2005).

Not only do Americans apparently have concerns about farm animal well-being, when they are in a position to act on their concerns via the voting booth, they tend to do so. For instance, in November 2006, voters overwhelmingly supported animal welfare measures that appeared on state ballots, often with approval rates of 60% or higher. More recently, voters passed Proposition 2 in California in 2008, which regulated the housing of gestating sows, egg laying hens, and veal calves. Issue 2 was also strongly supported in Ohio in 2009, which proposed the development of a Livestock Care Standards Board to provide oversight of farm animal care practices. These activities indicate growing public demand for animal welfare assurance and suggest the need for animal industries to better regulate their own practices. Despite the animal welfare assurance schemes devised by food industry retailers, processors, producer groups, and private organizations (Mench, 2003; Swanson, 2008), many appear to believe that external regulation is still needed.

Unfortunately, as legislation of animal production practices continues to unfold differently

in states across the US, it is possible that the stage is being set for Federal legislation of farm animal welfare standards. As an essential step toward retaining its autonomy, the dairy industry must develop a coherent plan to address both the scientific and ethical issues that are fundamental to all animal welfare concerns.

### **Critically Evaluating Practices**

Several of the concerns relative to dairy production center around welfare issues that remain unresolved and have recently been the subject of unflattering media stories. Each of these requires critical analysis. Lameness and mastitis are among the most prevalent and costly welfare issues for the dairy industry. However, there are others that are just as troubling. These include animal handling, especially of downed cows. Improper handling in this regard was highlighted in the 2008 Hallmark/Westland case and led to large scale beef recalls, which exacerbated latent concerns about industrialized production and food safety. Additionally, painful practices, such as tail docking and dehorning of cattle have recently been scrutinized. Tail docking remains particularly problematic given the lack of scientific justification for the process (Matthews et al., 1995; Eicher et al., 2001; Schreiner and Ruegg, 2002). Yet, many industry members support the docking of cows' tails, despite claiming that policies should be driven by science and in the face of what appears to be low social acceptability of the practice. This approach would seem to be short-sighted given that although most people have minimal knowledge about farming, they do have latent beliefs that animals are sentient and feel pain, and people have a vested interest in how animals are treated. Combine this with the "Disney factor"- ubiquitous anthropomorphic portrayals of animals (Jamison and Lunch, 1992) and the increasingly popular sentiment that large scale, intensive farming disregards the experiences of animals, and it would seem obvious that this sort of decision-making might fail the test of transparency

or moral responsibility, and further encourage external oversight and regulation.

Because of the diversity of perceptions of what constitutes acceptable quality of life for farm animals, today's production practices and standards cannot responsibly be determined by individual preferences and other unclear premises. Instead, a transparent means of establishing welfare standards for dairy animals is required, which reflects the most current and applicable scientific findings and also takes into account social acceptability of the practices. Failure to do so compels others to take action, and recent precedents suggest that such action is likely to occur in the form of legislation.

### **Moving Forward**

Clearly, the dairy industry must move beyond the comfort zone of scientific and economic discussions about cow production and clearly state how cows *should* be treated. In other words, the industry must both make the ethical case for contemporary dairy production and define the ethical parameters for its operations. Unfortunately for those used to dealing purely with science, this is challenging. However, as dairy production practices continue to be challenged on ethical grounds, it becomes increasingly important to understand the constraints of science in addressing these sorts of concerns. Science, for instance, can answer the question of what risks are associated with certain practices, or what the effects may be of feeding or housing dairy cows in certain ways. However, science cannot tell us whether it is right or even socially acceptable to adopt certain practices or assume the risks that may be associated with them (Wandersman and Hallman, 1993; Swanson, 2003). The latter are inherently subjective, ethical issues, and thus, they may be influenced or informed by science but cannot be dictated solely by it.

In addition, the dairy industry must abandon the idea that people who have concerns about cow

welfare “just need to become more educated” about animal agriculture (Croney and Anthony, 2009). In truth, many people do need some education about animal production and a far greater appreciation for those who provide our food. However, this approach is inappropriate for several reasons. First, certain practices are simply not acceptable to many people even when they fully understand why they are done. Thus, trying to indoctrinate people to unquestionably accept them will likely be unsuccessful. Second, members of the animal agricultural community often fail to understand what the public wants to know, and instead, frequently convey information that is irrelevant or unresponsive to the public's concerns, often resulting in failure to engage people, increased distrust, and frustration (Wandersman and Hallman, 1993; Lang et al., 2003). Third, members of the animal industries are understandably conflicted about full disclosure of many contemporary farming practices. However, “cherry picking” which pieces of information are divulged to the public is unethical given that people have a right to know (even the unpalatable aspects of) animal production; furthermore, doing so is inconsistent with genuine goals to educate people (Croney and Reynnells, 2008).

A more effective approach is to understand that most consumers simply want reassurance and validation that it is not only safe, but socially responsible to continue enjoying animal products (Jamison, 2009). To that end, a proactive animal industry should focus on: 1) providing clear, accurate information on how farm animals used for food are reared, 2) the measures that are in place to ensure their safety and well-being, 3) explanation of how these procedures are validated, and 4) truthful, thoughtful, and timely public communications about failures and plans to remedy them.

### **Conclusions**

Today, the US dairy industry faces the challenge of critically analyzing its practices,

addressing its existing welfare issues, anticipating and preparing for new ones, and reassuring the public that dairy cattle are indeed treated well. A clearly articulated ethic of care and compassion for animals is needed. This presents a formidable challenge. However, doing so will afford the industry the chance to align better with changing societal perceptions, expectations and values relating to animal quality of life, and thus gives it a better chance of maintaining its social license to operate.

The U.S. dairy producers must become aware of the welfare issues associated with modern dairy production and get prepared to be transparent with the public relative to the moral and scientific basis for their production practices.

Additionally, the dairy industry must focus on clearly delineating the ethical case for its existence. While it is easy (and sometimes correct) to suggest that others are wrong to criticize aspects of contemporary dairy production, it is more important to clearly articulate what is good or “right” about it. Included in such an exercise is the need to illustrate the ethical parameters around dairy animal treatment. For example, what is unacceptable to do to a cow? It is essential to address this point, because when there is no practice or procedure that can be done to a cow that is considered unacceptable or unjustifiable from the industry’s perspective, it becomes clear that there are no ethical boundaries. Conveying such a message is tantamount to asking to be externally regulated.

As society continues to demand food that is produced affordably and in a manner that offers a “fair deal” for farm animals, understanding and demonstrating a genuine commitment to farm animal welfare will be a key component of long-term viability and profitability.

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