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December 6, 2017

Senator Joe Hune
Chair, Agriculture Committee
Michigan Senate

Via email: Andrew Haring, aharing@senate.michigan.gov

**Re: Support of SB 660; Senate Agriculture Committee Meeting, December 7, 2017,
10:30AM**

Dear Sen. Hune and Committee Members:

Thank you for the opportunity to provide information to the committee. Attorneys for Animals, Inc. (AFA) is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. The organization's Board of Directors voted to support this bill, with a technical note to the sponsor.

This bill extends the time to comply with animal care standards for egg laying hens that were added to the Animal Industry Act by 2009 PA 117, from April 1, 2020 to October 12, 2025. Although we would prefer that the time not be extendedⁱ, we acknowledge an economic reason for the additional time (i.e., egg producers are voluntarily entering into contracts to phase out battery cages, and many go into effect around 2025); and frankly believe that the legislative will exists to extend the time.

On balance, we support the bill because of two provisions it adds:

- It broadens the coverage of the animal care standards to all shell eggs sold within Michigan for human consumption, regardless of where the eggs were produced—even out of state. This significantly increases the number of farms that must comply with the more humane standards, and, importantly, the number of egg laying hens who will not be subject to extreme confinement (page 5, lines 8 to 15).
- Significantly, the bill contains a legislative finding that implies that “egg laying hens ... are exposed to significant stress” resulting in deleterious effects on consumers’ health, safety and welfare. While we believe that the stress caused to the hens is worthy of a direct acknowledgement of the deleterious effect on their own welfare, we applaud the fact that the legislation makes the connection between extreme confinement and stress.

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We note that the bill extends enforcement to district courts to provide injunctive relief for violations of the act (page 5, lines 22 to 27 through page 6, line 1). We question whether district courts have jurisdiction. MCLA 600.8302 specifies the matters in which district courts may issue injunctions: enforcing livestock standards is not one of these. We suggest the sponsor inquire further.

Thank you for the opportunity to present written testimony.

Very Truly Yours,



Beatrice M. Friedlander, JD
President

¹ The 2009 bill creating the standards, HB 5127, was passed by a large margin in the House (86 to 22) and by near unanimous approval in the Senate (36 to 0, 1 not voting). According to the House Fiscal Agency final analysis of the bill, almost two years after it was enacted, says: “[a]fter much debate, the bill enacted by the Legislature and signed by the Governor banned battery cages, gestation crates, and veal crates, **but allowed farmers ample time— ten years—to transition to compliance with the new law**” (emphasis added).

<http://www.legislature.mi.gov/documents/2009-2010/billanalysis/House/pdf/2009-HLA-5127-6.pdf>