



AG-GAG REFLEX: FOOD SAFETY  
**Issue Brief**

## Ag-Gag Reflex: Food Safety and the Bad Taste of Animal Facility Tampering Acts

When a state legislature considers passing an Animal Research and Production Protection Act or Animal Facility Tampering Act, what is really under consideration? Varying from state to state, these proposals generally provide broad protection to farming operations by prohibiting employees and others from taking photographs or video of the facility's operations. The more important question is why are these bills proposed and passed? Who do they protect and why?

There is a disagreement over the purpose and impact of these so-called Ag-Gag (agricultural gag) laws. Those who operate facilities that raise animals for food production believe these laws protect operators from the inappropriate backlash that often comes as a result of people watching animal food production, even when done in a lawful manner. They fear interference with their operations and the need to adopt costly and unnecessary precautions to assuage irrational responses to food production footage. Opponents argue that these laws overprotect an industry that too often employs practices that threaten food safety and result in inhumane treatment of animals. Regardless of the motives of bill sponsors and supporters, a public health issue arises when individuals, particularly farm employees, are constrained from documenting potential threats to food safety.

To analyze this public health threat, Section I of this issue brief explores the contours of existing and proposed Ag-Gag legislation. In Section II, the brief identifies organizations vested in this legislation and reviews the basic reasons for their positions. Section III addresses the food safety argument against Ag-Gag legislation. Finally, Section IV presents options for public health advocates to help counter the adverse effects of Ag-Gag laws.

### Section I: Existing and Proposed Ag-Gag Legislation

#### The First of Three Ag-Gag Laws (1990-1991)

The first generation of Ag-Gag laws arose in the early 1990s in states where animal farming operations contribute significantly to the economy and community. Kansas passed the first Ag-Gag law in 1990.<sup>1</sup> This law prohibits any individual, whether an employee of the facility or member of the public, from entering an animal facility to record animal production operations *with the intent to damage the enterprise conducted at the facility*. The statute bans all manners of recording--audio, video, photography or any other means. The statute defines animal facility very broadly as any structure or premises in which an animal is fed, housed, exhibited, bred or offered for sale. This definition encompasses any and all commercial animal breeding, processing and packing plants as well as animal research facilities. The Kansas law also prohibits individuals from entering the farm, remaining concealed, and taking or destroying anything used at the facility,



including livestock. Although the statute imposes harsh penalties for destruction or taking of property, livestock or crops, recording operations at the facility without the owner's consent is a misdemeanor offense, punishable by up to one year in county jail. Entering or remaining at the facility without the owner's consent is a misdemeanor punishable by up to six months in county jail.

Montana followed Kansas and passed a similar statute in 1991.<sup>2</sup> This statute makes it unlawful to enter an animal facility, using the same broad definition of animal facility as Kansas, to take pictures by photograph, video camera, or other means *with the intent to commit criminal defamation*.<sup>3</sup> Criminal defamation is defined as anything that exposes the person (here, the facility owner/operator) to disgrace, ridicule, degradation or hatred in society.<sup>4</sup> Criminal defamation, simply put, is making a claim, or publishing photos, audio or video that gives the object of that claim a negative image. For the purposes of the statute any recording, (video, audio, pictures) of animal abuse, neglect, or unsanitary conditions may be considered defamatory. The statute also prohibits damaging, destroying or removing any items from the facility and penalizes those who enter a closed facility or who enter and remain concealed at the facility. The penalty is based on the monetary value of the owner's damage with a maximum of 10 years in state prison and a fine of up to \$50,000.<sup>5</sup>

In 1991, North Dakota passed the Animal Research Facility Damage statute,<sup>6</sup> which bans entering, entering and remaining concealed, and entering a facility to use or attempt to use any type of recording device, without the owner's consent. North Dakota followed Kansas and Montana by adopting the same broad definition of animal facility. Unlike the other two statutes, however, there is no specific intent required when entering or taking pictures or video; it is the act of entry or recording, regardless of purpose, that is barred. North Dakota's law is also slightly more expansive than the first two because the statute not only prohibits the taking of an animal but also explicitly prohibits freeing any animal held at the facility. The penalty for a violation is based on the amount of damage caused. Violating the law and causing less than \$500 in damage to the facility is a class A misdemeanor for which an offender may be imprisoned for up to a year and/or fined up to \$2,000. A violation that causes between \$500 and \$10,000 in damages is a class C felony for which an offender may be imprisoned for a minimum of five years and a maximum of 10 years. Violators who cause damages in excess of \$10,000 may be charged with a class B felony and subject to between 10 and 20 years in prison and fines of no more than \$10,000. Unauthorized entering of the facility with or without taking pictures or video and with no damage to the facility itself is a Class C felony, again with a penalty of five to 10 years in prison.<sup>7</sup>

## Recent Ag-Gag Statutes

When Iowa's law became effective on March 2, 2012,<sup>8</sup> the new era of Ag-Gag statutes emerged. First, the new statutes use different language. Iowa's statute prohibits "agricultural production facilities fraud" rather than animal research facility damage. Second, modern Ag-Gag laws incorporate a new "wrongful act" by criminalizing using false pretenses to obtain access to the facility, not just unauthorized entry to the animal facility. This new type of law criminalizes permissive entry if the authorization to enter was given under false pretenses, including lying on a job application. Specifically, Iowa prohibits:

Mak[ing] a false statement or representation as part of an application or agreement to be employed at an agricultural production facility, if the person knows the statement to be false, and makes the statement with an intent to commit an act not authorized by the owner of the agricultural production facility, knowing that the act is not authorized.<sup>9</sup>

This expansion is significant and is designed to prevent animal welfare or food safety advocates from securing employment at a facility, thereby gaining legal access to the property. Certainly an employee would have greater access to the operations than a visitor or trespasser and could more easily record production activities. An employee who has witnessed activity over a period of time may also be able to harm the operation simply by describing the activity, without the need for footage. If such disclosure is not authorized by the owner, it may be prohibited under this new Ag-Gag law. In addition, liability may be imposed on a person or organization that aids or abets the fraud or acts in concert to perpetuate the fraud. This new law pushes far past its predecessors, and creates liability in a food safety or animal rights organization if the organization were to collaborate with an individual whistleblower.



On March 20, 2012, Utah passed an Ag-Gag law that focuses specifically on recording.<sup>10</sup> The law prohibits any form of recording at an agricultural operation—video or audio—without the owner’s consent, including placing a hidden camera that captures footage at all times, even when the violator is not physically present. An agricultural operation is any private property used for the production of livestock, poultry, livestock products or poultry products. Violation of the Utah law for a first offender is a class A misdemeanor for which a violator may be subject to up to a year in jail and/or a fine of up to \$2,500.<sup>11</sup> The Utah law is similar to the Iowa statute because it prohibits both independent actors who trespass to enter the facility and capture footage as well as employees who are lawfully on the premise and working with an outside organization to gather evidence of abuse. Both of these groups would be captured under the Utah law. Utah is similar to North Dakota in that it is the recording of an image or sound which is banned, rather than an illegal entry statute that also bans recording.

Missouri’s somewhat unconventional Ag-Gag law requires that any footage of a farm animal subjected to abuse or neglect, whether captured on video, audio or other digital recording, taken by a farm animal professional (any person who works where farm animals are harbored), must be turned over, unedited, to a law enforcement agency within twenty-four hours of the recording.<sup>12</sup> Rather than describing protected facilities this statute covers protected animals; specifically, no footage can be taken of a farm animal regardless of where housed. A farm animal is defined in Missouri as an animal raised on a farm or ranch that is used or intended to be used for food or fiber.<sup>13</sup> Failure to turn over an unedited copy of the video or digital recording within the 24 hours is a Class A misdemeanor, with a maximum of 1 year in jail<sup>14</sup> and a fine of up to \$1,000 dollars.<sup>15</sup> This statute is different from Utah’s law because only those employed by the animal production facility may be punished for a violation. Interestingly, the statute does not require the original to be submitted and it does not prohibit dissemination of the material.

## Current Ag-Gag Proposals

In 2013, the Tennessee<sup>16</sup>, Indiana<sup>17</sup>, Pennsylvania<sup>18</sup>, Nebraska,<sup>19</sup> California<sup>20</sup>, Arkansas<sup>21</sup>, Wyoming<sup>22</sup>, New Mexico<sup>23</sup> and New Hampshire<sup>24</sup>, legislatures have considered Ag-Gag legislation. These new proposals generally incorporate elements of the older and newer Ag-Gag laws. For example, the Indiana bill (SB 373), incorporates three of the major components of current Ag-Gag legislation. First, the bill makes it unlawful to photograph or video record agriculture operations without the written consent of the owner. Second, the Indiana bill provides an exemption for individuals who, in good-faith, believed they were recording illegal activity and provide the footage to law enforcement within 48 hours, similar to the notice requirement of the Missouri statute. Third, attempting to obtain employment under false pretenses and with the intent to defame or harm the business of the prospective employer is also prohibited by this bill. While none of these bills have been enacted yet, the fact that so many states are considering these provision raises concerns for food safety officials and animal welfare advocates.<sup>25</sup>

The states considering Ag-Gag bills this year are some of the largest meat producers in the country: Arkansas is the second largest chicken producing state, and third largest turkey producing state. Kansas and Nebraska produce approximately 40 percent of our nation’s beef.<sup>26</sup> The prospect of limiting access to animal production facilities in these states is particularly troublesome given facilities’ poor record of self-regulation and our government’s limited inspection resources. Understanding the evolution of these laws is important, as is an understanding of the parties in opposition to and support of the provisions and the reasons that they take these positions.

## Section II: Parties Interested in Ag-Gag Legislation

### Parties Opposing Ag-Gag Laws

**Food Safety and Public Health** – Undercover investigations have exposed dangerous food safety violations that threatened the nation’s food supply. In fact, recent investigations have resulted in penalties or fines, new oversight procedures, and even facility closures (for example--Quality Eggs of New England,<sup>27</sup> Bushway Packing in Vermont, and Hallmark Meat Packing in California). The Hallmark investigation led to the largest beef recall in our nation’s history, including a significant amount of school lunchmeat, as Hallmark was a major supplier to the National School Lunch Program.<sup>28</sup> Because of these investigations, many entities oppose Ag-Gag laws from a food safety perspective, believing



that without undercover investigations, unsanitary conditions will continue unchecked and lead to greater contamination of our food supply.

*These organizations have expressed opposition to Ag-Gag laws for food safety reasons: Center for Science in the Public Interest, Center for Food Safety, Food Empowerment Project, The Cornucopia Institute, Farm Forward, Food and Water Watch, Organic Consumers Association, Slow Food USA, Socially Responsible Agricultural Project, T. Colin Campbell Foundation, and Physicians Committee for Responsible Medicine.*

**Animal Welfare** –Animal welfare organizations have repeatedly documented instances of animal abuse at various factory farms.<sup>29</sup> Ag-Gag laws are designed to prevent such undercover investigations and hide abuse from the public. Animal welfare groups believe that the current system of USDA inspectors is insufficient. As a result, they seek to uncover animal abuse to not only shut down offending farms, but to create change within the USDA. These groups seek new USDA rules against cruelty and hope that this footage leads to boycotts of inhumanely raised meat.<sup>30</sup>

*These organizations have expressed opposition to Ag-Gag laws for animal cruelty reasons: The Humane Society of the United States, The American Society for the Prevention of Cruelty to Animals (ASPCA), Mercy for Animals, Compassion Over Killing, In Defense of Animals, Animal Legal Defense Fund, Farm Sanctuary, A Well-Fed World, Best Friends Animal Society, and the Humane Society Veterinary Medical Association.*

**Environmental** – Ag-Gag laws also prevent workers and citizens from documenting and publicizing violations of environmental laws. If farmers believe that their environmental violations can only be reported by a formal inspector, they have less incentive to comply 365 days a year.<sup>31</sup> For example, a community member may be banned from taking pictures of a farm’s open manure storage lagoons that are overflowing and discharging into a neighboring creek.

*These organizations have expressed opposition to Ag-Gag laws for environmental reasons: Natural Resources Defense Council, Brighter Green, Earth Policy Institute, Earth Save, and Youth for Environmental Sanity.*

**Workers’ Rights** –Ag-Gag laws prevent workers from taking pictures or videos of unsafe working conditions. Farm workers often use phone cameras to document abuse, and then use that evidence to defend their rights and improve their working conditions.<sup>32</sup> Without the ability to document the abuses, it becomes much harder to build a case against an unsafe employer.

*These organizations have expressed opposition to Ag-Gag laws for worker safety reasons: Farmworker Justice, United Food and Commercial Workers International Union, and the Center for Justice & Democracy.*

**Consumers’ Right to Information/Constitutional Issues** –Ag-Gag laws may prohibit people from making well-informed choices. These undercover videos provide valuable information for those who want to know how their meat was raised before slaughter. States with Ag-Gag laws have limited this flow of information to consumers. While it is perfectly acceptable for a property owner to prohibit others from entering their property and taking pictures, trespass and other property laws already protect those rights. The groups below believe that granting even broader protection to agricultural operations unduly interferes with consumer education and may curtail the first amendment rights of those taking pictures or videos (or who do not do so for fear of liability).<sup>33</sup>

*These organizations have expressed opposition to Ag-Gag laws for consumers’ rights or constitutional reasons: Center for Constitutional Rights, Government Accountability Project, National Freedom of Information Coalition, Whistleblower Support Fund, Association of Prosecuting Attorneys, National District Attorneys Association, and the National Press Photographers Association.*



## Parties Supporting Ag-Gag Laws

**Factory Farm Agribusiness** – Large scale farmers support Ag-Gag laws because they want the “freedom to farm” without any interference. Also, large corporations that are dependent on agribusiness want food production to be completed as cheaply as possible. Some of these groups believe that if disturbing images or footage of their operations are disseminated, then unnecessary and expensive safety regulations will be promulgated.

*These organizations have expressed support for Ag-Gag laws for farm and food industry reasons: Protect the Harvest, Monsanto Co., Iowa Select Farms LLP, American Farm Bureau Federation, Simpson Farms, Iowa Farm Bureau, Iowa Angus Association, Minnesota Pork Producers, Christensen Farms, Utah Farm Bureau, The Iowa Corn Growers, and Lucas Oil.*

## Section III: Food Safety Arguments Against Ag-Gag Legislation

Undercover investigations help police and motivate farms to comply with food safety standards and labor laws. The proliferation of Ag-Gag laws could have a chilling effect on all reporting activity. Restrictions or prohibitions on undercover recording would decrease the opportunities for food safety violations to be discovered, thereby increasing the risk to consumers.

In 2008 the Humane Society of the U.S. (HSUS) recorded secret video of workers improperly slaughtering cows at the Hallmark/Westland meat plant in Chino, California. The company was a top supplier to the National School Lunch program, and the videos resulted in the company going out of business and the USDA initiating the largest beef recall in U.S history.<sup>34</sup> The USDA and HSUS also brought suit against Hallmark/Westland; that case ended in late 2012 with a settlement close to \$500 million and the bankruptcy of the companies.<sup>35</sup>

While many meat producers claim that there is no need for whistleblowers in their industry because of the USDA inspection service, there is evidence that USDA inspections lack efficacy. For example, there have been cases in which the internal advice of an agency auditor has been ignored. In 2010, public health veterinarian, Dr. Dean Wyatt, an employee at the USDA's Food Safety and Inspection Service (FSIS), testified that he had reported violations at the Bushway Packing slaughter plant but that his superiors ignored the violations and retaliated against him for continuing to report the violations. The HSUS followed up on Wyatt's reports and conducted an undercover investigation at the Bushway plant. The investigator recorded video of violations occurring in front of a USDA inspector and yet sanctions were not filed against Bushway. As a result of the undercover footage, Bushway was eventually shut down. The USDA reporting system failed to uphold the agency's own rules and it was the undercover investigation that protected our food supply.<sup>36</sup> These problems are compounded by the fact that the USDA Inspection Service only inspects a small percentage of the meat in our food supply each year.<sup>37</sup> Whistleblowers serve a vital role by supplementing the protections provided by USDA inspections.

Unsanitary living conditions can lead to diseases in livestock and in the people who consume the tainted animal products.<sup>38</sup> State governments, as well as the USDA, impose strict sanitary regulations<sup>39</sup> on animal facilities.<sup>40</sup> Unsanitary conditions are easily identifiable and preventable — they should be 'never-events.'

## Section IV: Options for Public Health Advocates

The constraints created by the spread of Ag-Gag laws pose a serious food safety risk. However, there are several approaches that food safety advocates can take in addressing this public health threat. First, advocates should remain vigilant and monitor for proposed Ag-Gag legislation in their jurisdiction. It is easier to prevent the enactment of a law, than it is to repeal legislation. Once aware of proposed legislation, advocates can reach out to the organizations, like the ones listed early in this brief, that oppose Ag-Gag laws for food safety, animal welfare, workers' rights, and constitutional reasons. By building a network of allies, advocates can better educate legislators on the multitude of problems presented by Ag-gag laws. In addition, advocates can utilize these same arguments and allies to seek the repeal of existing Ag-Gag laws.



Second, food safety advocates can promote legislation that discourages Ag-Gag legislation. For example, the Animal Legal Defense Fund proposes its 'Protect Your Food Act' as a means of stopping the spread of Ag-Gag laws.<sup>41</sup> The model legislation is designed to protect citizens fed by the state (e.g. school children, state hospital patients, prisoners) from food-borne illnesses by prohibiting a state government from purchasing or distributing food products from a jurisdiction with an Ag-Gag law. Essentially a boycott, the model legislation puts economic pressure on states that have passed or are thinking about passing Ag-Gag laws. For example, Nebraska is home to four heads of cattle for every one person and exports the vast majority of its beef. By limiting the market for this beef, the model legislation could have a significant negative economic impact, calling into question the value of the Ag-Gag law. Although the model law has not been adopted by any state, legislators and advocates opposed to the Ag-Gag legislation could utilize this type of proposed legislation to demonstrate the possible economic backlash.

Third, another potential response is to decrease the need for whistleblowers by increasing the number and thoroughness of animal production facility inspections. However, this approach is not without challenges. Inspections are currently conducted by the USDA's Food Safety Inspection Service (FSIS) and state food safety authorities. However, federal inspectors are chronically understaffed. During the 2006-2007 timeframe, the USDA reported vacancies over 10 percent nationwide, and as high as 22 percent in some areas.<sup>42</sup> The challenges created by these vacancies are compounded by the sheer volume of the meat industry- some slaughterhouses in the United States can process between 300 and 400 cows an hour, a rate double that of anywhere else in the world.<sup>43</sup> The veterinarians who oversee this production also struggle to keep up; many former USDA inspectors report having to inspect 700 head of cattle at a time from a catwalk above the pens for signs of illness.<sup>44</sup>

To address the dearth of inspection resources, advocates can push for options beyond filling of vacancies or slowing the rate of inspection to allow for a more thorough evaluation. Inspection resources can be augmented by looking at collaborative inspection efforts. These facilities are subject to food safety, environmental, and work safety regulations. The inspection resources from the respective regulatory agencies could be coordinated and staff cross-trained to ensure a greater frequency of inspection. In addition, advocates could increase inspection frequency by looking beyond the government. Food safety and animal welfare groups could create an independent certification program that animal production facilities could use in their marketing. In this system, facilities would agree to unannounced inspections by representatives of the certifying organizations, during which photographs of the operations could be taken.

Fourth, the spread of Ag-Gag laws can have a chilling effect even in states without this type of legislation. To counteract the long shadow of Ag-Gag legislation, food safety advocates should educate employees in the meat industry regarding whistle-blowing protections in their jurisdiction. Although there are no federal whistleblower protection laws for employees in the meat industry<sup>45</sup>, many states have passed laws that prevent employers from retaliating against employees who report food safety violations. For example, Connecticut employers may not

penalize any employee because the employee, or a person acting on behalf of the employee, reports, verbally or in writing, a violation or a suspected violation of any state or federal law or regulation or any municipal ordinance or regulation to a public body, or because an employee is requested by a public body to participate in an investigation, hearing or inquiry held by that public body, or a court action.<sup>46</sup>

Whistleblower protections do not directly address the stifling of speech perpetrated by Ag-Gag legislation. Whistleblower protections prevent an employer from retaliating against an employee, while Ag-Gag laws criminalize certain actions and as such dictate a government's response, rather than private employers. However, an awareness of whistleblower protections may encourage meat industry employees to record and report violations in jurisdictions that have not yet passed Ag-Gag laws, helping to stem the potential indirect effects of the burgeoning Ag-Gag trend.

Ag-Gag legislation presents a real public health challenge. As public health advocates, it is critical to educate ourselves and our communities on the effects of these laws. However, this is a challenge that need not be faced alone. The animal welfare, environmental, workers' rights, and constitutional issues created by these laws provide the public health

community with an opportunity to align our efforts with other advocates. In doing so, the public health community can develop a stronger and more holistic case against Ag-Gag legislation.

## SUPPORTERS



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<sup>1</sup> [Kan. Stat. Ann. §47-1825-1828 \(2012\)](#).

<sup>2</sup> [Mont. Code. Ann. §§ 81-30 -101-105 \(2013\)](#).

<sup>3</sup> [Mont. Code. Ann. § 81-30-103 \(2013\)](#).

<sup>4</sup> [Mont. Code. Ann. § 45-8-212 \(2013\)](#).

<sup>5</sup> [Mont. Code. Ann. § 81-30 -105 \(2013\)](#).

<sup>6</sup> [N.D. Cent. Code §§ 12.1-21.1-01-05 \(2011\)](#).

<sup>7</sup> [N.D. Cent. Code §12.1-32. \(2011\)](#).

<sup>8</sup> [Iowa Code §717A.3A \(2012\)](#).

<sup>9</sup> [Iowa Code § 717A.3A\(1\)\(b\) \(2012\)](#).

<sup>10</sup> [Utah Code Ann. § 76-6-112 \(2012\)](#).

<sup>11</sup> [Utah Code Ann. § 76-3-204 \(2012\)](#) and [Utah Code Ann. § 76-3-301 \(2012\)](#).

<sup>12</sup> [MO. Rev. Stat. § 578.013 \(2012\)](#).

<sup>13</sup> [MO. Rev. Stat. § 578.005 \(2012\)](#).

<sup>14</sup> [MO. Rev. Stat. § 558.011 \(2012\)](#).

<sup>15</sup> [MO. Rev. Stat. § 560.016 \(2012\)](#).

<sup>16</sup> [S.B. 1248, companion H.B. 1191](#)

<sup>17</sup> [S.B. 373](#)

<sup>18</sup> [H.B. 683](#)

<sup>19</sup> [L.B. 204](#)

<sup>20</sup> [A.B. 343](#)

<sup>21</sup> [S.B. 13](#)

<sup>22</sup> [H.B. 0126](#)

<sup>23</sup> [S.B. 552](#)

<sup>24</sup> [H.B. 110](#)

<sup>25</sup> At the time of this issue briefs drafting, the legislatures in New Hampshire, Wyoming, and New Mexico had struck down their respective Ag-Gag bills.

<sup>26</sup> American National Cattlewomen Inc. "[Beef Across the United States Nebraska](#)" (2007); See also, American Meat Institute "[The United States Meat Industry at a Glance](#)" (March, 2011); Kansas Department of Agriculture, "[Statistics. Agriculture Counts](#)" (2009).

<sup>27</sup> Cheryl Leahy, *Large Scale Farmed Animal Abuse and Neglect: Law and its Enforcement* 4 J. OF ANIMAL L.& ETHICS 6, 111 (May 2011).

<sup>28</sup> Id. at 109.

<sup>29</sup> Gail Berrigan, [Whistleblower Testifies Against USDA](#), Humane Society of America (March 25, 2013)=.

<sup>30</sup> Mary Beth Sweetland, [Going Under Cover in an American Factory Farm](#), Humanitarian.org (March 25, 2013).

<sup>31</sup> Caitlin Zittkowski, Comment, "[Ag-Gag" Laws Could Broaden Exemptions for Farms from Environmental Regulation](#), MICH. J. OF ENVTL.& ADMIN. L. (2012).

<sup>32</sup> Jessica Felix-Romero, [State efforts to ban documentation of abuse of farm animals would make farmworkers more vulnerable](#), Harvesting Justice. (April 19, 2011).

<sup>33</sup> For an in-depth discussion of the potential First Amendment issues related to Ag-Gag laws see [Lewis Bollard, Ag-Gag: The Unconstitutionality of Laws Restricting Undercover Investigations on Farms](#), 42 ENVTL. L. REP. 10960 (2012).

<sup>34</sup> [Rampant Animal Cruelty at California Slaughter Plant](#), Humane Society of the United States. (2008)

<sup>35</sup> Helena Bottemiller, [Landmark Settlement Reached in Westland-Hallmark Meat Case](#), Food Safety News (November 18,2012).

<sup>36</sup> Gail Berrigan, [Whistleblower Testifies Against USDA](#), Humane Society of America (March 25, 2013).

<sup>37</sup> [Slaughter Inspection 101](#), United States Department of Agriculture, (April 6, 2010).

<sup>38</sup> [Foodborne Illness What Consumers Need to Know](#), United States Department of Agriculture(May 24, 2011)

<sup>39</sup> [Conn. Agencies Regs. §§ 19-13-B78-79 \(2009\)](#).

<sup>40</sup> Anastasia S. Stathopoulos, [You are What your Food Eats: How Regulation of Factory Farm Conditions Could Improve Human Health and Animal Welfare Alike](#), 13 N.Y.U. J. LEGIS. & PUB. POL'Y 407 (2010).

<sup>41</sup> Animal Legal Defense Fund, "[The Safeguarding the Public from Foodborne Illnesses Act](#)" v. A2.1

<sup>42</sup> Gillian Flaccus, [Inspectors Say Meat Safety is Threatend](#), USA Today, Feb. 22, 2008.

<sup>43</sup> Frontline, [Profiles: Modern Meat Inside the Slaughterhouse](#) April, 2002.

<sup>44</sup> [Associated Press. Short Supply of Inspectors Threatens Meat Safety. \(2008\)](#).

<sup>45</sup> Although the Food Safety Modernization Act, [21 U.S.C. §399d \(2013\)](#), provides whistleblower protections, these protections only pertain to industries regulated by the Food and Drug Administration.

<sup>46</sup> [CONN. GEN. STAT. §31-51m \(2012\)](#).