

Failure to Protect Farmed Animals

保护养殖动物的失利

Legal Efforts in US to Address
Gaps and Advance Protections
美国为弥补差距及推进养殖动物保护所做的法律努力



Failing
Farmed
Animals

V

US LAWS FOR ANIMALS ON THE FARM

美国农场动物法



No Laws



US SLAUGHTER LAWS 美国屠宰法

- Humane Methods of Livestock Slaughter Act
人道牲畜屠宰法
 - 7 U.S.C. § 1901 et seq.
- Federal Meat Inspection Act
联邦肉类检验法
 - 21 U.S.C. § 601 et seq.
- Poultry Products Inspection Act
家禽产品检验法
 - 21 U.S.C. § 451 et seq.
- Twenty-Eight Hour Law
二十八小时法则
 - 49 U.S.C. § 80502



Slaughter
Laws



OTHER LEGAL TOOLS 其他法律手段

- Administrative 行政命令
- Consumer Protections 消费者保护
- Securities 证券
- Environmental 环境
- Wildlife 野生动物
- Worker Safety 工人安全
- Food Safety 食品安全
- Biosecurity 生物安全
- Torts 侵权诉讼



Legal
Tools



US ENVIRONMENTAL LAWS

美国环境法律

- National Environmental Policy Act 国家环境政策法
 - 42 U.S.C. § 4321 et seq.
- Clean Air Act 清洁空气法
 - 42 U.S.C. § 7401 et seq.
- Clean Water Act 清洁水法
 - 33 U.S.C. § 1251 et seq.
- The Emergency Planning and Community Right-to-Know Act (EPCRA)
应急计划和社区知情权法案 (EPCRA)
 - 42 U.S.C. § 13101 et seq.
- Resource Conservation and Recovery Act (RCRA)
资源保护和回收法 (RCRA)
 - 42 U.S.C. § 6901 et seq.
- The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
综合环境响应、补偿和责任法案 (CERCLA)
 - 42 U.S.C. § 9601 et seq.



Environmental
Laws



NEPA CASE STUDY

NEPA 案例

Breaking: Lawsuit forces U.S. to rethink bird flu response

By Kitty Block and Sara Amundson
June 4, 2022 11 Comments

诉讼迫使美国重新考虑禽流感应对措施



The U.S. government's response to bird flu outbreaks involves killing and burying or burning millions of tightly confined birds, which threatens wildlife, habitats, water supplies, air quality and human health. /Stock.com

Bird Flu



US CONSUMER PROTECTION LAWS 美国消费者保护法

- Federal Trade Commission Act
联邦贸易委员会法
 - 15 U.S.C. 41 et seq.
- State Laws Against Unfair and Deceptive Practices
反对不公平和欺骗行为的州法律
- DC Consumer Protection Procedures Act
华盛顿特区消费者保护程序法
 - DC Code § 28-3901 et seq.



Consumer
Protection



CONSUMER PROTECTION CASE STUDY

We're suing the world's largest pork producer for misleading the public about animal abuse

October 18, 2021 10 Comments

Smithfield Foods delivers on decade-old promise to eliminate pregnant sow stalls in US

起诉世界最大的猪肉生产商在虐待动物问题上误导公众



The U.S. Supreme Court case is about Proposition 12, California's landmark law to address animal cruelty and public health issues stemming from the worst factory farming practices, such as confining pregnant pigs in gestation crates so small they can hardly move. The AGUS

Smithfield.
Good food. Responsibly.®

**Deceptive
Advertising
欺骗性广告**



US TORT LAW 美国侵权法

- Nuisance 滋扰
- Negligence 疏忽
- Trespass 侵入
- Fraud 欺诈
- Intentional infliction of emotional distress (“IIED”)故意造成情绪困扰
- Negligent infliction of emotional distress (“NIED”)疏忽造成情绪困扰



Torts



NUISANCE CASE STUDY 滋扰案例

上诉法院裁定北卡罗来纳州滋扰案应承担 responsibility: Smithfield 宣布和解

Appellate Court Affirms Liability in North Carolina Nuisance Case; Smithfield Announces Settlement

Posted on [December 7, 2020](#) by [tiffany.donell](#)



The United States Court of Appeals for the Fourth Circuit issued a decision recently in *McKiver v. Murphy-Brown, LLC*, one of the numerous nuisance lawsuits filed in North Carolina involving neighbors claiming nearby hog farms constituted a nuisance. Shortly thereafter, the defendants announced a settlement had been reached in all of the pending North Carolina hog farm nuisance cases against Murphy-Brown, LLC.



Image by [Becky Marugala](#) from [Pixabay](#)

Nuisance



INTERSECTIONAL ISSUES 交叉课题

🏠 Environmental Justice > Ahead of Print >

🔒 Open Access



The Intersectionality of Environmental Injustice, Other Societal Harms, and Farmed Animal Welfare

环境正义、其他社会危害和养殖动物福利的交叉性

Laura Fox

Laura Fox  

Published Online: 17 May 2023 | <https://doi.org/10.1089/env.2021.0125>

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Intersectionality

US-ASIA PARTNERSHIP 美亚环境法律伙伴关系项目

- Report 报告
 - The U.S.-Asia Partnerships for Environmental Law & the Animal Law and Policy Institute at VLGS
- 美亚环境法律伙伴项目 – 弗蒙特法学院研究生院动物法及政策研究所
- Policy Recommendations 政策建议
 - Analogs 类比



Report

THANK YOU

Thank you 谢谢

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