Failure to Protect Farmed Animals

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
US LAWS FOR ANIMALS ON THE FARM

美国农场动物法
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
- Poultry Products Inspection Act
  家禽产品检验法
- Twenty-Eight Hour Law
  二十八小时法则
  - 49 U.S.C. § 80502
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
US ENVIRONMENTAL LAWS

- National Environmental Policy Act 国家环境政策法
- 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.
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

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. 8stock.com
US CONSUMER PROTECTION LAWS 美国消费者保护法

- Federal Trade Commission Act
  联邦贸易委员会法
- 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 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

起訴世界最大的豬肉生產商在虐待動物問題上误导公众

Deceptive Advertising 欺騙性廣告
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
NUISANCE CASE STUDY

上诉法院裁定北卡罗来纳州滋扰案应承担责任；Smithfield宣布和解

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

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

Laura Fox

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US-ASIA PARTNERSHIP

• Report 报告
  • The U.S.-Asia Partnerships for Environmental Law & the Animal Law and Policy Institute at VLGS

美亚环境法律伙伴关系项目 – 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
Thank you 谢谢

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