

**LIVESTOCK PRODUCTION
IN THE PUBLIC EYE:
Losing a Market Through Popular Media**

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After spending more than fifteen years in large law firms, Jim Bradbury left to form his own practice focused on environmental, water and regulatory matters, including the imminent water policy issues facing rural Texas. His firm has offices in Fort Worth and Austin. Mr. Bradbury advises clients on permitting and enforcement matters before state authorities, EPA and the Department of Justice and handles civil litigation that arises out of environmental issues. Advising the agriculture industry and private landowners on key aspects of legal, policy, and regulatory issues as they emerge has been a focus of his practice for over two decades. Mr. Bradbury has significant experience in the environmental regulation of agriculture facilities, including federal jurisdiction under the Clean Water Act, regulation of Concentrated Animal Feeding Operations, and related issues under both CERCLA and RCRA as they relate to waste handling and storage. In addition, Mr. Bradbury has significant experience with the environmental aspects of hydraulic fracturing production, eminent domain and non-point source regulation. Mr. Bradbury regularly speaks on landowner rights and environmental issues as they affect public policy.

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Juris Doctor, University of Idaho School of Law,
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LIVESTOCK PRODUCTION IN THE PUBLIC EYE: Losing a Market Through Popular Media

Abstract: In an age where vast amounts of information are available at the touch of a button, the public is looking for low-priced food that meets a media driven feel-good standard. Agriculture must strike a balance, and using traditional and social media, create and reinforce a message that will inform and create a positive picture of agriculture.

For the true measure of agriculture is not the sophistication of its equipment, the size of its income, or even the statistics of its productivity, but the good health of the land.

–Wendell Berry, *The Unsettling of America: Culture and Agriculture*

Agriculture is the most healthful, most useful and most noble employment of man.

–George Washington

I. INTRODUCTION

Agriculture in the twenty-first century is more than just plowing ground and the production of food. With diminishing critical resources like water and an onslaught of negative publicity, livestock producers face challenges like never before. Yet, demand for animal products is expected to rise as population growth soars in the future. Producers are in the middle of that storm. Conflicting perspectives on how to address these challenges mount with well-funded environmentalists and animal welfare advocates on one side and agricultural operators and producers comprising the other.

Agriculture is no longer the industry it once was where as long as it provided a good product, no questions were asked about where and how the food was produced. And it had few devoted enemies other than the weather itself. The quandary facing livestock producers today is how to meet a growing consumer demand for low-priced food that meets a media driven feel good standard. The answer is balance. As stewards of the land, agricultural operators and producers must seek to strike a balance of using environmentally sound and ethical practices that allow for growth and efficiency. But the hardest challenge for producers is in developing and carrying out a well-defined, credible social message about their products. Livestock producers have yielded the message to their detractors.

II. SUSTAINABILITY VS. INDUSTRY: CONTRASTING PERSPECTIVES

Eating is an agricultural act. –Wendell Berry

Americans love to eat. This is not a novel concept. For centuries, agriculture operators and producers had one primary concern, produce enough food to feed the population in the least expensive manner possible. The focus of producers was on high yield, efficiency, and low production costs. But times have changed.

In an age of Food TV, Whole Foods, sound bites and instant gratification, where vast amounts of information are available at the touch of a button, people are more interested and informed on issues that impact their lives than ever before. Combine this with the growing obesity problem and trend towards health-conscious eating, and more Americans are taking notice not only of *what* they eat but *where* it comes from and *how* it is made.

This growing interest and demand for information opens the door to agendas and misinformation, with videos of alleged inhumane treatment of animals an almost daily presence on the television and internet. Add to this the number of food recalls in recent years for concerns over safety, and there is a potential crisis at play for agricultural operators and producers. And there is a monolithic risk of losing a market over the long term.

Emerging from the present quandary are two perspectives: sustainability and industry. While the two are often considered mutually exclusive in the current political climate, the truth is they must be taken together. On the sustainability side are often environmentalists and animal welfare advocates who preach the evils of large-scale agribusiness, factory farms, and the need for locally sourced food. On the other side of the argument is the agriculture industry, which has grown large by necessity, taking advantage of developments in technology and science. Operators and producers face more expensive operations due to diminishing natural resources, increasing regulatory oversight and enforcement, and increasing demand. To many operators and producers, consolidation of farms and operations is a necessary and inevitable result. In the middle rests the balance that is required to meet consumer demands for a humanely, sustainably, and safely grown food supply in a way that can meet demand and allow businesses to grow. Sustainability is a word that should be owned more by agricultural producers than environmental and humane groups.

A. The Changing Face of Agriculture

The agriculture of the twenty-first century is big business. This is never truer than in Texas, which leads the nation in cattle, cotton, hay, sheep, goats, and mohair production. Texas Ag Stats, Tex. Dept. of Agriculture, *available at* www.texasagriculture.gov/About/TexasAgStats.aspx. Texas also leads the nation in farms and ranches, with 248,000 farms and ranches spanning over 130 million acres. *Id.* The Texas Department of Agriculture estimates the economic

impact of food and fiber as more than \$100 billion annually. *Id.* The Texas cattle, dairy, and poultry industries alone accounted for nearly \$14.5 billion in cash receipts in 2012. *Id.* Texas ranks sixth overall in value of agricultural exports, with exports to foreign countries totaling \$6.5 billion in 2012. *Id.* Beef sales were among the highest exports. *Id.*

Nonetheless, advances in science and technology along with increasing regulatory requirements and concerns over water scarcity are changing agriculture. Farms are transitioning from smaller operations into corporate organizations with multiple farms handling significant numbers of animals.

In Texas, the number of dairy producers fell from 1,100 in 2000 to around 500 in 2012 while the number of dairy cows increased 35% over the same period. Kelly Yandell, *Liquid Assets: The State of Milk in Texas*, Edible Dallas & Fort Worth, Spring 2013, available at <http://ediblecommunities.com/dallasfortworth/spring-2013/liquid-assets-the-state-of-milk-in-texas.htm>. And the trend is not unique to Texas. In Minnesota, the number of dairy farms dropped 27 percent over a ten-year period while the number of cows remained steady. See Tony Kennedy, *Standoff Over Huge Minn. Dairy Opens New Chapter in Feedlot Battle*, STAR TRIBUNE, Mar. 7, 2015, available at www.startribune.com/local/295498771.html. Fewer farms, more animals.

The growth of agriculture in many cases is fueled by well-intentioned goals. Agricultural operations can now safely provide quality animal products to consumers thousands of miles from the farm where the product is produced. Bigger and more efficient operations enable producers to keep the costs to consumers affordable.

Nonetheless, with growth comes great challenges. Larger farms and ranches pose an increasing threat to the environment in the form of air and water pollution and consumption of natural resources. Efficiency-focused and cost-effective operations also raise concerns about the treatment of animals and safety of the food supply.

B. Challenges Facing Agriculture Today

While agriculture may grow and benefit from advances in science, technology, and information, these advances pose unique challenges as well. Texas producers in particular are met with significant environmental challenges and water scarcity concerns. The projected leap in population growth poses its own additional and significant considerations. Complicating matters further, the digital age ensures that these issues are available to the public twenty-four hours a day, seven days a week. Finding time and resources to address the challenges themselves, much less the public's perception of these challenges facing agriculture, is daunting.

1. Increasing Demand: The Projected Population Explosion

Population estimates are in for the next fifty years, and they all have one thing in common: the overwhelming conclusion is that populations are predicted to increase dramatically between 2010 and 2060. In Texas, the Texas Water Development Board projects that the population is expected to grow by 82% over the next fifty years. TEX. WATER DEV. BD., WATER FOR TEXAS 2012 STATE WATER PLAN 132 (2012), available at <http://www.twdb.state.tx.us/waterplanning/swp/2012/index.asp>. In real numbers, this amounts to an increase from 25.4 million in 2010 to 46.3 million in 2060. *Id.*

The projections are no different nationwide. The U.S. Census Bureau projects that between 2014 and 2060, the United States population will increase by nearly 100 million people, from 319 million to 417 million. SANDRA L. COLBY & JENNIFER M. ORTMAN, PROJECTIONS OF THE SIZE AND COMPOSITION OF THE U.S. POPULATION: 2014 TO 2060, 2 (2015), available at <http://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf>.

Globally, estimates suggest the world population could grow as high as 9 billion by 2050 and perhaps up to 11 billion by 2100. See Robert Kunzig, *A World With 11 Billion People? New Population Projections Shatter Earlier Estimates: Dueling Projections of Population Growth Present Different Visions of the World's Future*, NAT'L GEO., Sept. 19, 2014, available at <http://news.nationalgeographic.com/news/2014/09/140918-population-global-united-nations-2100-boom-africa/>. India is estimated to become the world's most populous country and most of the world's growth is anticipated to be in Sub-Saharan Africa. *Id.*

The projections of a population boom pose significant challenges to agriculture as it seeks to meet the increased demand for food worldwide while addressing consumer concerns at home and around the world for a safe, humane, sustainable, and affordable food supply.

2. Water: The Diminishing Lifeblood of Agriculture

Water is essential. Never is this fact more apparent than in the face of years of hard drought. Agriculture is a leading consumer of water in Texas, and as the population grows and the drought continues, water demands will grow as resources dwindle. An Interim Report by the Texas House Committee on Natural Resources predicts a steep increase in water demand. See HOUSE COMM. ON NATURAL RES., TEX. H.R., 83RD R.S., INTERIM REPORT 2012 (Jan. 2013). As the Texas population grows, water demands will increase not only for municipal water supplies but for agriculture and energy sectors as well. Without taking into account any other factors, the substantial

population growth alone will immeasurably strain water resources in coming years.

Texas is already in a deficit now. Currently, Texas water supplies are 3.6 million acre-feet short of water demands should Texas suffer another severe drought of record. INTERIM REPORT 2012, at 89. Under current projections, if no changes are made, the shortages will only grow, and by 2060 Texas could be 8.3 million acre-feet short of water demands. *Id.* at 89.

Agriculture must compete with others for water, namely municipal water supplies and energy and power demands. Texas is a leader not only among agriculture but in oil and gas operations as well. Both industries rely heavily on water for survival.

In Texas, surface water usage is governed by the Texas Commission on Environmental Quality (TCEQ) that oversees water rights throughout the State. Water rights are subject to priority both in terms of age and purpose. In general, water may be diverted for a beneficial use, but the Legislature set a list of specific purposes and priorities for which water may be used in the State, including domestic and municipal uses, agricultural and industrial uses, mining and recovery of minerals, hydroelectric power, navigation, recreation and pleasure, and game preserves. TEX. WATER CODE § 11.023. Water rights permits are generally given priority based on the date the permit application was filed. *Id.* § 11.141.

In many respects certain high-priority or senior water rights are considered sacred in Texas. In the wake of spreading drought across the State, however, TCEQ issued in 2012 a new set of rules allowing for the suspension of certain water rights during time of drought. Known as “priority calls,” the new chapter 36 sets a framework for how TCEQ may suspend water rights permits to ensure adequate supply for senior water rights. The new rules were issued in response to a series of priority calls in 2011 in which the priority rules were not uniformly applied under the guise of public health and safety. That year, TCEQ received fifteen senior water rights calls that resulted in over 1,200 junior water rights permit suspensions. The suspended permits were primarily irrigation water rights. Kate Galbraith, *Texas Water Rights System Gets Tested in Drought*, THE TEXAS TRIBUNE, Jan. 19, 2012. Although this new rule seeks to streamline the process of suspending water rights during times of water shortages, the rules are inapplicable to certain surface water uses that are exempt from permitting, including some water uses by oil and gas drilling operations and coal mining operations. TEX. WATER CODE § 11.142; 30 TEX. ADMIN. CODE § 36.1(c). Groundwater is similarly regulated but on a local level through groundwater conservation districts (GCDs). Most GCDs do not subscribe to a uniform set of rules and policies but are free to establish their own requirements.

In terms of publicity, agriculture gets an increasingly bad rap in terms of water usage. As a result, agricultural operators may stand to lose the most if drought conditions persist. Over the past three years, rice farmers along the Gulf Coast have faced severe limitations on water supplies from the Lower Colorado River Authority. Farmers in West Texas have faced threats of similar limits from groundwater conservation districts seeking to protect diminishing underground aquifers, requiring meters and limiting pumping. As the drought continues, operators and producers will be faced with increasing limitations, negative publicity, and challenges with finding water for their operations. Educating the public on the role of water in agriculture along with working toward water efficient equipment and practices will help operators and producers as they navigate this new frontier of water scarcity.

3. Environmental Concerns: Regulatory Expansion and Heightened Enforcement

Increasing focus on the environment in the age of Climate Change has brought scrutiny upon industries of all types, and agriculture is no exception. From water and air regulation to a recent court decision classifying certain manure application as subject to federal solid waste regulations, agriculture is a veritable mine field of environmental hazards and concerns both real and perceived. In recent years, livestock producers have come under fire for a variety of environmental issues ranging from increased phosphorus, nitrogen, and bacteria in waterways to methane emissions to ongoing manure management. For the public, they may see only part of the picture, but what they see, can have significant impact. The result is a growing tension between the right to farm and raise livestock and the right to clean water and air.

Nationwide, lawsuits are challenging the livestock industry’s operating policies and procedures. From cows to pigs to poultry, no one is immune. Concerns primarily stem from the over-saturation of land and waterways with phosphorus, nitrogen and bacteria. While many farms manage manure application to apply nutrients in quantities that crops and soil can absorb and use, many more farms do not ascribe to these practices. In North Carolina, a prime battleground on these issues, 10 million hogs produce as much waste in one day as 100 million people. David Pitt, *Water, Air Quality Concerns Heighten Conflict with Pig Farms*, WASHINGTON TIMES, Feb. 16, 2015, available at <http://www.washingtontimes.com/news/2015/feb/16/water-air-quality-concerns-heighten-conflict-with/>. Statistics like these stay in the minds of a concerned public.

Court actions are also increasing and are not always coming out in favor of the livestock industry. In January of this year, a federal judge in Eastern Washington found that a large dairy in the Yakima

Valley, Cow Palace, polluted groundwater through its application, storage, and management of manure and posed an “imminent and substantial endangerment” to the public consuming the water and to the environment. *Community Assoc. for Restoration of the Env’t, Inc. et al v. Cow Palace, LLC*, No. 13-CV-3016-TOR, --F.Supp.3d--, 2015 WL 199345 (E.D. Wash., Jan. 14, 2015).

For the first time a court applied the Resource Conservation and Recovery Act (“RCRA”), which governs the disposal of solid and hazardous waste, to an agricultural operation’s manure management. The court went further in this far-reaching precedent to state that whether contamination from the dairy poses an imminent and substantial endangerment to health or the environment “does not require proof of actual harm but rather ‘a threatened or potential harm.’” *Id.* The Cow Palace Dairy manages 11,000 cows and produces more than 100 million gallons of manure per year. *Id.* Of particular notice to the court was one of the potentially harmful effects from human consumption of unsafe levels of nitrates called “Blue Baby Syndrome” where infants develop a blue-gray skin color, causing irritability and lethargy that can evolve into coma or death if left undiagnosed and untreated. See Ross Courtney, *Judge Rules: Dairy Polluted Groundwater*, YAKIMA HERALD-REPUBLIC, Jan. 15, 2015, available at <http://www.yakimaherald.com/news/2828984-8/judge-rules-dairy-polluted-groundwater#print>. This case is significant not only for its potentially far-reaching consequences for livestock operations in terms of environmental regulation, but the impact of this ruling and the details of this case in the eyes of a discriminating public could be catastrophic. And yet more concerning is the fact that the case was won by two well-funded interest groups that have given clear indications that this case is just the beginning.

The agriculture industry has attempted to fight back by filing their own lawsuits challenging regulations with mixed results. Earlier this year, a federal judge dismissed a lawsuit by the American Farm Bureau Federation and the National Pork Producers Council that attempted to block the release of data on large livestock farms in Minnesota and Iowa under the Freedom of Information Act. *Am. Farm Bureau Federation et al v. U.S. Env’t Protection Agency et al.*, Case No. 0:13-cv-01751-ADM-TNL (D. Minn. Jan. 27, 2015). The court found the agricultural groups lacked standing. It is unclear whether suits of this nature help or hinder public perception of the industry, particularly in a time when transparency is highly valued by many Americans.

In 2008, members of the pork, poultry, and dairy industries sued the EPA concerning its regulation of animal feeding operations (AFOs) under the Clean Water Act. *Nat’l Pork Producers Council et al v. U.S.*

Env’t Protection Agency et al., 635 F.3d 738 (5th Cir. 2011). In that case, the Fifth Circuit found in one respect for the agricultural interests when it confirmed that EPA’s regulatory authority extends only to *actual* discharges of pollutants to jurisdictional waters and not to discharges in general or potential discharges. *Id.* Even with this victory, the gains do not help with the public perception problem. The public pays closer attention to the cases with gory details, like those in the Cow Palace Dairy case. Cases like the *National Pork Producers Council* case are mired in statutory and regulatory interpretation and lack the shock-value that grasps public attention.

4. Food Safety

Yet another area of significant challenge facing livestock producers is growing public concern over food safety. Recalls of food products are highly publicized and highlight the unsettling risks inherent in producing large quantities of food quickly and efficiently. Efforts to increase output raise concerns not only over animal welfare but also as to potential contamination of the food supply. Further, some producer’s efforts to improve public perception of their products have backfired.

In one such example, the D.C. Circuit Court of Appeals recently upheld an order from the Federal Trade Commission forbidding a California pomegranate company from making misleading claims about the health benefits of its product. *POM Wonderful, LLC v. F.T.C.*, 777 F.3d 478 (D.C. Cir. 2015). The Federal Trade Commission barred POM Wonderful from advertising that its products could treat or prevent disease without substantiating those claims through human, clinical trials. *Id.* While these requirements are efforts to boost consumer confidence in food products, they present additional expense and challenges to agricultural operations and their efforts to put a positive or health-conscious face on their products.

Additional requirements are also being made by retail stores who sell agricultural products. Whole Foods is among those who have provided to their producers certain requirements that must be met for the products to be sold in their stores. Many of these standards address concerns over the humane treatment of animals. See Stephanie Strom and Sabrina Tavernise, *Animal Rights Groups’ Video of Hens Raises Questions, but Not Just for Farms*, NY TIMES, Jan. 8, 2015, available at http://www.nytimes.com/2015/01/09/business/direct-action-everywhere-video-of-laying-hens-raises-concerns.html?_r=0.

Further complicating the challenges posed by food safety is the fact that the regulator in charge of policing agricultural operations on matters of food safety is the United States Department of Agriculture (“USDA”), which has come under fire in recent years for operating

a “revolving door” of sorts between the government regulators and the corporations they regulate. See Tom Philpott, *USDA Whistleblowers Tell All—and You May Never Eat Bacon Again*, MOTHER JONES, (Feb. 27, 2015), available at <http://www.motherjones.com/tom-philpott/2015/02/usda-whistleblowers-report-gross-condition-hog-slaughterhouses>. In 2004, the chief of the USDA division that oversees food safety at slaughterhouses stepped down and two years later joined the board of directors for Hormel, one of the largest pork producers in the country. *Id.* Further, evidence of USDA inspectors urged to overlook violations at slaughterhouses in an effort to speed up the “kill line” also diminishes public confidence in food safety. See *id.*

Piling on additional negative publicity is the onslaught of food recalls calling into question the ongoing safety of the nation’s food supply. Within the past month, Blue Bell Ice Cream has been recalled because it was linked to a multistate outbreak of Listeriosis, which has resulted in three deaths and multiple hospitalizations. CDC, Multistate Outbreak of Listeriosis Linked to Blue Bell Creameries Products, April 8, 2015, available at <http://www.cdc.gov/listeria/outbreaks/ice-cream-03-15/>. Sabra hummus was also recently recalled over concerns of potential Listeria contamination. Rachel Abrams, *Listeria in Sabra Hummus Prompts New Wave of Recalls*, NY TIMES, April, 9, 2015, available at http://www.nytimes.com/2015/04/10/business/listeria-in-sabra-hummus-prompts-new-wave-of-recalls.html?_r=0. In 2012, cantaloupes from certain producers were recalled for contributing to a multi-state outbreak of Salmonellosis. FDA News Release, Aug. 28, 2012, available at <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm316665.htm>. Chipotle even announced that pork would no longer be offered in some locations because so little quality pork is available on the market. Jillian Berman, *Chipotle Pork Shortage is Proof of a Larger Problem Facing the Food Industry*, HUFFINGTON POST, Jan. 15, 2015, available at http://www.huffingtonpost.com/2015/01/15/chipotle-pork-shortage_n_6473964.html. With a constant stream of recalls and concerns over the quality of agricultural products, it is no wonder why the American public is developing a negative perception of agriculture today.

III. THE MEAT OF THE ISSUE: HOW BAD IS THE PUBLIC PERCEPTION OF AGRICULTURE?

It shouldn't be the consumer's responsibility to figure out what's cruel and what's kind, what's environmentally destructive and what's sustainable. Cruel and destructive food products should be illegal.

We don't need the option of buying children's toys made with lead paint, or aerosols with chlorofluorocarbons, or medicines with unlabeled side effects. And we don't need the option of buying factory-farmed animals.

—Jonathan Safran Foer, *Eating Animals*

Would you ever open your refrigerator, pull out 16 plates or pasta, toss 15 in the trash, and then eat just one plate of food? How about leveling 55 square feet of rain forest for a single meal or dumping 2,400 gallons of water down the drain? Of course you wouldn't. But if you're eating chickens, fish, turkeys, pigs, cows, milk, or eggs, that's what you're doing—wasting resources and destroying our environment.

—People for the Ethical Treatment of Animals (PETA)

Opposition to large-scale agricultural operations has been building for years. From films like *Food, Inc.* and books like *The Omnivore's Dilemma* to undercover exposés that post video of operations with untenable conditions. For years, agricultural industry has shrugged off these attacks as extreme or not representative of the population. The truth is that these perspectives and attacks are becoming a part of the mainstream American psyche. And the tactics raise money for interest groups, lots of money.

To illustrate the impact, one need only look to the growth in sales of organically produced food. “Consumer demand for organically produced goods continues to show double-digit growth” the USDA reports. U.S.D.A. ECONOMIC RESEARCH SERVICE, ORGANIC MARKET OVERVIEW (April 7, 2014), available at <http://www.ers.usda.gov/topics/natural-resources-environment/organic-agriculture/organic-market-overview.aspx>. Organic sales accounted for over 4 percent of total food sales in the United States in 2012, and that number is expected to rise. *Id.* In 2012, organic food sales accounted for an estimated \$28.4 billion and was projected to reach \$35 billion in 2014. *Id.* Organic foods are available in nearly 20,000 natural food stores and in 3 out of 4 conventional grocery stores. *Id.* Following this growth trend, local farmers markets have grown from 1,755 in 1994 to over 8,144 markets in 2013. *Id.* The public wants to know where their food comes from and how it is made.

Large-scale restaurants are even contributing to the discussion, and what they have to say does not support big agricultural operations. In 2014, restaurant chain Chipotle Grill produced a satirical television series called “Farmed and Dangerous” that highlights “the lengths to which corporate agribusiness and its image-makers go to create a positive image of industrial agriculture.” Rick Barrett, *Chipotle's “Farmed and Dangerous” Misleads Viewers*, *Farming Groups Say*, MILWAUKEE-WISCONSIN JOURNAL

SENTINEL, Feb. 22, 2014, available at <http://www.jsonline.com/business/chipotles-farmed-and-dangerous-misleads-viewers-farming-groups-say-b99208324z1-246719761.html>. Episodes hit on a variety of issues including use of antibiotics in meat and food as well as libel laws that make it easier for big companies to sue critics. *Id.* Chipotle is no newcomer to the food production debate. A visit to their website shows clearly their focus on organically grown, family-farmed, and locally sourced food.

The publicity does not end there. A new documentary film called *Cowspiracy: The Sustainability Secret* claims to “uncover the most destructive industry facing the planet today,” animal agriculture. See www.cowspiracy.com/about/. According to the website, “animal agriculture is the leading cause of deforestation, water consumption and pollution, is responsible for more greenhouse gases than the transportation industry, and is a primary driver of rainforest destruction, species extinction, habitat loss, topsoil erosion, ocean ‘dead zones,’ and virtually every other environmental ill.” *Id.*

A cursory search on the internet yields many more opportunities for graphic videos and images of “agricultural operations” and the impact on animals and food supply. Many of these claims or images are taken out of context or create shock and awe at circumstances that may be completely legal and in compliance with environmental and animal welfare regulations and requirements. Nonetheless, the images remain in the minds of Americans and raise the stakes of the battle that is being waged against agriculture in this country.

IV. WHERE TO GO FROM HERE

To husband is to use with care, to keep, to save, to make last, to conserve. Old usage tells us that there is a husbandry also of the land, of the soil, of the domestic plants and animals—obviously because of the importance of these things to the household. And there have been times, one of which is now, when some people have tried to practice a proper human husbandry of the nondomestic creatures in recognition of the dependence of our households and domestic life upon the wild world. Husbandry is the name of all practices that sustain life by connecting us conservingly to our places and our world; it is the art of keeping tied all the strands in the living network that sustains us.

And so it appears that most and perhaps all of industrial agriculture’s manifest failures are the result of an attempt to make the land produce without husbandry. –Wendell Berry

The myriad of negative publicity against agriculture in America is discouraging. Ignored for too long, agricultural operators and producers now face an uphill battle to win back the confidence, understanding, and support of much of the American public. Undoing the damage is going to be challenging, especially considering that much of agriculture, at its very best, is not pretty. There is nothing pleasant about seeing an animal slaughtered, no matter how humanely it may occur. Similarly, accepting the amount of animal waste and manure that results from agricultural operations and how it is handled is not something that will ever be viewed positively by most people. Doing nothing, however, is not an option. So where does agriculture go from here? How does agriculture meet the growing demand of the future while addressing the growing problems with public perception of its operations?

The first answer is to take the problem seriously. Agriculture is not immune to the digital age, no matter how old a farm may be or how long it has been producing high quality livestock and products. Agriculture must take notice that the public perception problem is real and growing. It cannot be ignored.

The next answer is that industrial agriculture must fundamentally change its focus. It must transition from solely business-focused operations to stewardship-focused operations. This does not mean that producers should not seek to grow their business or find efficient means of bringing their products to market. After all, these concerns will be critical to meeting the increased demand from the population growth of the future. Rather, the shift in focus means that the concern of livestock producers must be more than just business and must be on how their products are made and how their message is conveyed to the public. Agricultural operators must care for the land, the soil, the water, the air, and the animals. It is all connected and all essential to continuing operations. The problem is not so much with the size of the operations as it is with the manner in which the products are made. While historically consumers made their food purchases based on price and taste alone, they are now increasingly making their decisions based on social defensibility and perceptions of sustainability.

Operators and producers must also become community-focused. As regulations increase and opportunities and interest in public participation grow, the continuation of operations is more and more dependent on a producer’s community and neighbors. Paying attention to and resolving nuisance concerns, contributing to the growth of the community, and communicating with neighbors can go a long way in creating a positive image for agricultural operations on a localized, grass-roots scale.

Finally, producers and operators must educate the public about what they do and how they do it. They must counter the misleading information that argues

that all large-scale operations are destructive, inhumane, or dangerous to public health, safety and welfare and the health of the planet no less. A sustained, credible message must be carried out through traditional and social media reinforcing a message that will inform and create a positive picture of agriculture. Agriculture produces the product and it should likewise lead the message.

Agriculture is meeting consumer demand in terms of overall supply but is failing to meet the growing demand for food that is ethically and sustainably raised. The perception of food is now a product in and of itself and this can no longer be avoided. In the end, sustainability and industry are not mutually exclusive. Agricultural operators and producers can bridge the gap between the two, which will guarantee Agriculture's survival in the age of livestock production in the public eye.

