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The RapSheet on Animal Factories



Convictions,
Fines, Pollution
Violations and
Regulatory
Records on
America's
Animal Factories

inside:

SIERRA CLUB'S TEN 'LEAST WANTED' ANIMAL FACTORY OPERATORS



Cover photo: In the wake of Hurricane Floyd, drowned hogs litter North Carolina. Before the deluge, the state was home to 9 million hogs, housed mostly in huge animal-feeding operations.

AP/WIDE WORLD PHOTOS

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The Sierra Club's campaign to protect America's water from factory farms — one of the organization's four national priority campaigns — is committed to keeping factory farm pollution out of America's drinking water, lakes and rivers, and eliminating the threats that concentrated animal feeding operations pose to our public health and rural heritage.

"The RapSheet on Animal Factories" report and more than 240 individual rap sheets can be found at: www.sierraclub.org/factoryfarms/rapsheets.

design by ninamo

The Sierra Club's members are 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest and most influential grassroots environmental organization.

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85 Second St., Second Floor, San Francisco, CA 94105,(415) 977-5500

408 C St. NE, Washington, DC 20002,(202) 547-1141

www.sierraclub.org

The RapSheet on Animal Factories

Environmental violations by the meat industry add up to a rap sheet longer than *War and Peace*.

For the past two and one-half years, Sierra Club researchers have camped out in the offices of state and federal agencies, pored over dusty files, copied long-forgotten reports, haunted library stacks and raised the eyebrows of curious agency staff. The result of their dogged investigation is a groundbreaking report and database called “The RapSheet on Animal Factories.”

This report presents sobering—and in some cases downright shocking—facts about modern American meat production. No longer dominated by family farmers, the business of growing, slaughtering and marketing the nation’s livestock has been largely taken over by corporations that control meat production from, as one Sierra Club representative puts it, “squeal to meal, conception to consumption.”

Environmental violations by the meat industry add up to a rap sheet longer than *War and Peace*. In the process of delivering ostensibly cheap meat to American dinner tables and fast-food chains, the meat producers in this report have perpetrated serious environmental violations and corporate misconduct. As our investigators learned, well-known companies that promote a responsible image are responsible for massive fish

kills, gross mishandling of animal carcasses, reckless endangerment of workers, animal cruelty and an alarming indifference to food safety.

In sum, the RapSheet database documents crimes, violations or other operational malfeasance at more than 630 industrial meat factories in 44 states. The



Too Big for Paper Towels: The collapse of this North Carolina hog-waste lagoon in 1995 spilled 25 million gallons of raw hog manure in to the New River.

online database profiles more than 240 of these operations in detail. In addition to actual convictions, recalls of potentially contaminated products and violations that resulted in fines, the RapSheet includes information about indictments and unresolved lawsuits. Indictments are not proof of guilt. Among other findings, the RapSheet documents:

- ◆ Government files show that approximately 50 corporations, or their managers, racked up a total of more than 60 misdemeanor or felony indictments, charges, convictions or pleas. Criminal fines total nearly \$50 million. The criminal counts included animal

Corporate factory farms are more factory than farm. As such, they should be held to the same types of state and federal regulations as any other industry.

cruelty, bribery, destroying records, fraud, distributing contaminated meat and pollution.

- ◆ Forty-three meat recalls by 31 companies that totaled approximately 67,000 tons (that's almost 134 million pounds) of suspect products that were delivered to schools, military installations, restaurants and grocers. Meat was found contaminated by deadly bacteria, rodent feces, rodent hair, rot, rust, mold, wire, metal shavings—and the list continues.
- ◆ Millions of gallons of liquefied feces and urine seeped into the environment from collapsed, leaking or overflowing storage lagoons, and flowed into rivers, streams, lakes, wetlands and groundwater. Hundreds of manure spills have killed millions of fish.

The RapSheet is intended to serve as a powerful tool for citizens who want to keep corporate polluters out of their communities. Anyone can access the

online database, search by state or corporate entity, and print out a list of violations a company has racked up in other communities. The Environmental Protection Agency and state and local governments should also find the database useful. Nowhere else does there exist in one place such an extensive source of information about meat industry transgressions.

Still, the database likely represents the tip of the iceberg. Incomplete, incoherent or non-existent state records frequently prevented our researchers from collecting information. Many factory farms are never inspected by regulators,

leaving untold numbers of violations unreported and undocumented.

Finally, we hope this information will encourage regulators to protect communities that suffer because of factory farm pollution. Residents who live next to factories are subjected to fly and rat infestations, putrid smells and polluted water.

Corporate factory farms are more factory than farm. As such, they should be held to the same types of state and federal regulations as any other industry.

Methodology

Sierra Club staff and volunteers spent two and one-half years collecting thousands of records from state and federal regulatory agencies. As far as we can tell, this is the largest and most complete documentation of violations by large animal factories in the United States ever. The information in

this report is not comprehensive. There are many other documented violations to collect and compile and therefore, this is a work in progress. As we collect more information on violations, we intend to update our online database.

In 1999, Sierra Club staff and volunteers began the vast effort to catalogue factory farm violations in 44 states. Staff and volunteers reviewed information at, gathered it from, or received it under the federal Freedom of Information Act or states' Open Meeting and Records laws from the following agencies and offices:

- ◆ U.S. Department of Agriculture (Food Safety Inspection Service, Animal and Plant Health Inspection Service, Grain Inspection Packers and Stockyards Administration)
- ◆ U.S. Department of Defense
- ◆ U.S. Department of Health & Human Services (Agency for Toxic Substances and Disease Registry)
- ◆ U.S. Department of Justice (Federal Bureau of Investigation, Offices of the United States Attorneys)
- ◆ U.S. Department of Labor (Occupational Safety and Health Administration)
- ◆ U.S. Environmental Protection Agency (Office of Enforcement and Compliance Assurance, National Enforcement Investigations Center, Criminal Investigations Division)
- ◆ Equal Employment Opportunity Commission
- ◆ National Labor Relations Board
- ◆ United States District Court system
- ◆ State Attorneys General offices
- ◆ State water pollution agencies
- ◆ State air pollution agencies
- ◆ State wildlife and fish and game agencies
- ◆ State health agencies
- ◆ State court systems
- ◆ Municipal agencies
- ◆ County Sheriff Offices

In addition, newspaper articles, press releases, company Web sites and court documents provided information.

Information obtained through this process is at www.sierraclub.org/factoryfarms/rapsheets. After documenting these violations, Sierra Club began the process of identifying those companies with the worst record. Criteria for this inauspicious distinction included environmental pollution (air pollution and water quality violations), labor law violations, recalls for contaminated meat products (either by pathogens or other foreign objects) or other egregious activities. The result, "America's Ten Least Wanted" list, features companies that have had numerous violations in one or more of these categories, based on the information we collected.

Human Health and Environmental Effects Associated With Concentrated Animal Feeding Operations (CAFOs)

Large-scale corporate animal factories pollute our air and water, endanger our health and drive responsible family farmers out of business. Despite the public health and environmental risks posed by crowding thousands of animals in cramped factories, there is a powerful trend in the meat industry towards larger and more concentrated animal factories.¹ Every year, more animals are raised on fewer farms, and family farms are pushed out of local communities.

By housing more and more cattle, pigs and chickens in tightly confined spaces, the meat industry is also generating thousands of pounds of animal feces and urine without providing proper treatment. Even though most corpo-

rations do little more than store the waste in open-air pits and/or dump or spray it on the land, some livestock operations are producing "the waste equivalent of a town or even a large city," according to a report by the

The criminal counts listed in the RapSheet documents include animal cruelty, bribery, destroying records, fraud, distributing contaminated meat and pollution.

minority staff of the U.S. Senate Committee on Agriculture, Nutrition and Forestry.²

CAFOs are Big Polluters

Factory farms are big polluters, largely due to the huge amount of animal waste their operations generate. In 1997 alone, U.S. beef, pig and chicken operations generated 291 *billion* pounds of manure daily. In that year, Americans only produced approximately one-sixth of that amount.³

In order to deal with vast amounts of manure, animal factories generally use open pits, known as lagoons, to store liquefied manure. Unfortunately for nearby communities and local water sources, lagoons can leak, and manure can spill.⁴ In most cases, the waste is ultimately disposed of on land, allowing it to run off into nearby streams or seep into underground water supplies. The contents of this waste, including ammonia, pathogens, pesticides, antibiotics and hormones, can end up in our drinking water and in our bodies.⁵

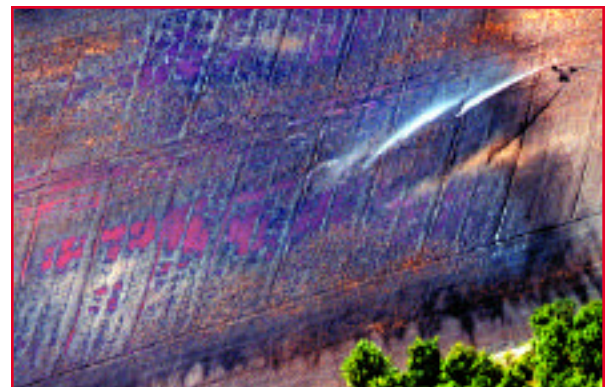
In addition to water pollution, factory

farms often emit irritating and health-threatening pollutants into the air.⁶ Ammonia, hydrogen sulfide, carbon dioxide, particulate matter, methane, dust and allergens have all been traced back to animal factories.⁷

Human Health Effects

Workers in the factories and neighbors who live downstream or downwind from the plants probably suffer the most acute effects. Inhaling the fumes and pollutants from animal factories or drinking water contaminated with animal waste can seriously harm human health.⁸

The fumes are so powerful that getting too close can prove to be fatal. The National Institute for Occupational Safety and Health has documented instances where fumes have asphyxiated farm workers after they entered pits used for storing manure.⁹ The fumes



Raining Manure: Liquefied waste is often sprayed directly onto fields where it can collect and run into nearby waterways.

from animal factories can also threaten their neighbors' health, as Julie Jansen discovered. In 1995, Jansen, who operated a day care center in Olivia,

Minnesota, was advised to take the children away from the home after they were suffering from nausea, diarrhea, headaches and other symptoms of hydrogen sulfide poisoning.¹⁰ Hog factories, more than a mile from her home, were contaminating the air with hydrogen sulfide and other pollutants.¹¹ Since then, Minnesota and a handful of other states have set safety standards for some air pollutants from animal factories.¹² But these standards are still not protective of human health.

Drinking water contaminated with animal waste can cause health problems for a number of reasons. First of all, animal waste contains nutrients like nitrogen—a lot of nitrogen. The EPA estimates that hog operations in eastern North Carolina alone “generated 135 million pounds of nitrogen per year as of 1995.”¹³ That is of particular concern because elevated nitrate levels in drinking water can cause “blue baby syndrome” in infants, may increase the risk of birth defects and miscarriages in women, and can be fatal.¹⁴ In 1994, the Centers for Disease Control found the incidence of four spontaneous abortions by women in LaGrange County, Indiana to be possibly related to nitrate-contaminated well water.¹⁵

Animal waste also carries numerous pathogens, which are disease-causing organisms, such as bacteria, viruses, protozoa, fungi and algae. In fact, there are more than 150 different pathogens that pose a risk to humans in animal factory manure.¹⁶ A 1998 investigation by the Centers for Disease Control found pathogens in manure storage lagoons, drainage ditches, drainage wells and even in a river near large pig operations in Iowa.¹⁷

Breathing or ingesting these pathogens in water or food can cause potentially fatal diseases, including salmonellosis, cryptosporidiosis, giardiasis, cholera, typhoid fever and polio.¹⁸



Cryptosporidium parvum, a tiny protozoan responsible for stomach illness, is of particular concern because it is resistant to conventional drinking water treatment. Contamination of Milwaukee's drinking water supply in 1993 caused more than 100 deaths and 400,000 illnesses. Runoff of cow manure was identified as a possible source of the contamination.¹⁹

Foodborne illness is a widespread and serious health threat in the United States. Each year, there are approximately 76 million cases of foodborne illnesses, resulting in some 325,000 hospitalizations and 5,000 deaths.²⁰ In recent years, there has been a disturbing trend of

emerging strains of foodborne pathogens like *Listeria* and toxigenic *E. coli* bacteria.²¹ The effects of improved inspection procedures at slaughterhouses are beginning to reduce incidence of foodborne illness, although the data do not show a sustained decline in some infections, according to a recent Center for Disease Control report.²²

Animal waste pollution is also suspected of causing outbreaks of *Pfiesteria piscicida*, a toxic organism responsible for large fish kills in North Carolina, Maryland and Virginia.²³ Exposure to *Pfiesteria* may also cause human health problems, including acute short-term memory loss, cognitive impairment, asthma-like symptoms, liver and kidney dysfunction, blurred vision and vomiting.²⁴

Animal waste is also contaminated with endocrine disruptors from pesticides and hormones.²⁵ These chemicals interfere with hormonal systems that govern human development. They can alter sexual development, undermine intelligence and make us less resistant to disease. Pesticides get into animal factories because they are applied on crops grown to feed the animals or through direct application to housing pens to control parasites.²⁶ Hormones are fed to cattle to speed up growth, and studies increasingly suggest that some of these hormones pass through the animal and into the waste.²⁷

Finally, one recent development has been the increased threat to human health caused by the overuse of antibiotics in livestock production. Since 1949, when low levels of antibiotics were

found to improve animal growth, animal factories have been using antibiotics as a routine feed additive.²⁸ The practice is so common now that the EPA estimates between 60 to 80 percent of all livestock receive antibiotics.²⁹ In 1991, animal factories used approximately 19 million

pounds of antibiotics, a widespread practice that is rapidly creating pathogens resistant to modern medicine.³⁰ These drug-resistant diseases can be transmitted from animals to humans through the food supply.³¹ Scientists now believe that the “use of growth-promoting antibiotics in animal agriculture is thought to be one of the factors driving the increase in antibiotic resistance in humans by causing selective pressure for the emergence of antibiotic-resistant bacteria.”³² With the emergence of antibiotic-resistant strains of bacteria, doctors are losing the ability to use antibiotics to treat human infections. In response to this crisis, the World Health Organization publicly called for the reduction of antibiotic use in animal agriculture, noting that resistant strains of *Salmonella*, *Campylobacter*, *Enterococci*, and *E. coli* have been transmitted from animals to humans.³³ In addition, the American Medical Association recently passed a resolution stating its opposition to the use of antibiotics as a growth enhancer in animal agriculture and urging the termination or phase-out of this use of antibiotics.³⁴

Ecological Effects

Animal waste pollution can degrade water and air quality as well as human health. Nutrients from animal waste, such as nitrogen, phosphorus and potassium can seriously impair water

quality.³⁵ When nutrients from animal waste enter waterways, they can fuel an explosive growth of algae. This phenomenon, known as eutrophication, decreases oxygen levels in the water, thereby suffocating fish and invertebrates.³⁶ Furthermore, when algae blooms die,

they can also release toxins that kill fish and wildlife and leave behind degraded ecosystems like the “Dead Zone” in the Gulf of Mexico.³⁷ Manure spills and runoff of waste applied to land are not the only ways that animal wastes impair water quality. Lagoons, manure piles and land application areas give off ammonia to the atmosphere. Later, the ammonia falls to earth as nitrogen, creating the same eutrophication as if it were discharged directly to water. Scientists have identified this as a significant problem for water quality.³⁸

While bacteria and viruses usually go unseen, animal waste can affect water quality in very visible ways as well. Spilled feed, bedding materials, hair, feathers, even corpses have all made their way into local waterways.⁴¹ In addition to the obvious problems associated with floating pig carcasses, these types of “suspended solids” are responsible for “increasing the turbidity of surface waters, physically hindering the functioning of aquatic plants and animals, and providing a protected environment for pathogens.”⁴²

The parasites, bacteria and viruses that are carried by animal waste can all harm wildlife.³⁹ For instance, bacteria present in animal waste causes avian botulism and avian cholera, which have killed thousands of migratory waterfowl and domestic birds.⁴⁰

Animal waste pollution can degrade water and air quality as well as human health.



High Water: Flooding from Hurricane Floyd washes out the contents of a hog lagoon into the Pamlico Sound in North Carolina.



BUCKEYE

Buckeye Illegally Dumps Dead Chickens; Fined \$1 Million for More Than 800 Water Permit Violations

FORTUNE 500 RANKING: PRIVATELY OWNED
ANNUAL REVENUES: NOT AVAILABLE
HEADQUARTERS: CROTON, OHIO

SUMMARY:

Anton Pohlmann owns and operates Buckeye Egg Farm in Ohio.

Pohlmann began his Ohio farms in 1980 and has steadily expanded the business to its current size. Buckeye has 15 million chickens that produce 2.4 billion eggs annually—approximately 4 percent of the national total.⁴³ One of the most notorious animal factory polluters in North America, Buckeye has racked up a laundry list of environmental offenses that include numerous manure spills, air pollution and fly infestations.

The Ohio Attorney General filed a 27-count lawsuit against Buckeye Egg for disposing of dead chickens by dumping them in a field, improperly handling manure and causing mass infestations of flies, beetles and other insects.⁴⁴ The suit alleged 800 instances



Egg Factory: It is industry-wide practice to cram thousands of chickens in cages at egg factories.

in which Buckeye violated their water permits.⁴⁵ The case was settled and the company agreed in January 2001 to pay a \$1 million fine and invest \$366,000 in manure treatment equipment.⁴⁶

OTHER RAPS:

- ◆ Despite the agreement, environmental problems at Buckeye Egg's facilities have persisted. On November 29, 2001, angered by another manure spill into the nation's waterways, the Ohio attorney general charged that Buckeye Egg Farm has violated the settlement agreement numerous times.⁴⁷ The state wanted to throw owner Anton Pohlmann and other top officials in jail and seeks fines of up to \$10,000 a day in connection to water pollution and fly outbreaks.⁴⁸ This was the eighth time the attorney general had asked the courts to force Buckeye Egg to comply with state and federal laws.⁴⁹
- ◆ In September 2001, jurors awarded 21 rural neighbors of Buckeye's Licking County egg factories \$19.7 million in a civil nuisance judgment.⁵⁰
- ◆ In 1997, a class action suit was filed for violation of the Consumer Practices Act, charging that Buckeye routinely rewashed and repackaged eggs that had not sold, re-selling them with a new expiration date.⁵¹ In 1999, the Food and Drug Administration took action against Buckeye for selling salmonella-infected eggs.⁵²
- ◆ Klaus Pohlmann, Anton's son, owns and operates a 35,000-hog confinement complex known as Pohlmann Hog Farms near Crawfordsville, Indiana.⁵³ Pohlmann Hog Farms is the largest swine confinement complex in the state.⁵⁴ The facility generates 40,000 gallons of liquefied manure daily.⁵⁵ That facility also has had repeated manure spills which have killed tens of thousands of fish. At least six manure spills from the facility between 1979 and 1995 killed an estimated 64,000 fish in Little Sugar Creek.⁵⁶ Those spills and fish kills resulted in fines and penalties of \$54,205.86.⁵⁷ Another spill in July 2001 killed an estimated 5,700 fish.⁵⁸

FOR A COMPLETE RECORD OF BUCKEYE'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST BUCKEYE'S POLLUTION OF OUR AIR AND WATER, call the company at: (740) 893-7200.
TO PROTEST POHLMANN HOG FARMS' POLLUTION, call the company at: (765) 364-1661.



CARGILL

At Least Four Deaths Tied to Pathogen-Tainted Meat; Cargill Recalls Approximately 16.7 Million Pounds of Products

FORTUNE 500 RANKING: PRIVATELY OWNED
ANNUAL REVENUES: NOT AVAILABLE
HEADQUARTERS: MINNEAPOLIS, MINNESOTA



Hog Hell: Many swine operations contain hundreds of pigs per pen.

SUMMARY:

Cargill, the largest privately held corporation in the United States,

has approximately 800 operations in 59 countries.⁵⁹ In the United States, Cargill markets turkey products under the Honeysuckle White and Riverside brands. Cargill also owns Excel Corporation, the United States' third-largest meatpacking enterprise.⁶⁰ Excel operates 16 beef/pork slaughterhouses or meat processing plants in 11 states and Canada.⁶¹ From 1996-2000, Excel has received \$19.25 million for its sales to the USDA's School Lunch Program and other Federal Food Assistance Programs.⁶²

Since 2000, Cargill and Excel meat has been linked to two dangerous bacteria-relat-

ed outbreaks. In December 2000, a federal health official with the Centers for Disease Control and Prevention in Atlanta confirmed that at least four deaths, three miscarriages or stillbirths, and 28 cases of listeriosis had been linked to bacteria-contaminated meat produced at Cargill's Waco, Texas plant.⁶³ The plant recalled 16.7 million pounds of ready-to-eat turkey and chicken products that were potentially contaminated with *Listeria monocytogenes*.⁶⁴ The recall affected retail establishments, restaurants and institutions nationwide, as well as products that had been exported to Iceland and Venezuela.⁶⁵

FOR A COMPLETE RECORD OF CARGILL'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST CARGILL'S POLLUTION OF OUR AIR AND WATER, call the company at: (952) 742-7575

OTHER RAPS:

◆ An Excel meat processing plant in Newnan, Georgia was linked to an outbreak in June 2001 when the plant recalled approximately 190,000 pounds of ground beef and ground pork that was potentially contaminated with *E. coli* 0157:H7 bacteria, a food pathogen that can kill.⁶⁶ The recall affected Kroger stores in Alabama, Georgia, Kentucky, South Carolina and Tennessee.⁶⁷

◆ Excel has also been accused of violating federal labor laws. In July 1998, the United States Department of Labor filed suit against Excel's Beardstown, Illinois plant, alleging violations of the overtime and record-keeping requirements of the Fair Labor Standards Act.⁶⁸ The alleged violations involved approximately 600 employees.⁶⁹

◆ In February 2002, Cargill Pork Inc., which operates a hog factory in Missouri, pleaded guilty to violating the Clean Water Act when the company illegally discharged hog waste into the Loutre River, killing approximately 53,000 fish along a five-mile stretch.⁷⁰ The company will pay a fine of \$1 million for this violation.⁷¹



CONAGRA

Regulators Cite ConAgra for Illegal Discharges of Blood, Grease and Waste

FORTUNE 500 RANKING: 61
ANNUAL REVENUES: \$27.1 BILLION
HEADQUARTERS: OMAHA, NEBRASKA



Waste Overload: When liquefied manure is applied in volumes greater than what the ground can absorb, it pools on the surface and may run off into streams.

SUMMARY:

ConAgra, with operations in 25 countries, is the second-largest food

company in the United States. The company markets meat products under several U.S. labels including Armour, Butterball, Country Pride, Decker, Eckrich, Hebrew National, Oldham's Farm, Swift Premium and Slim Jim jerky snacks. From 1996-2000, ConAgra received \$68.4 million for its sales to the School Lunch Program and other Federal Food Assistance Programs.⁷²

ConAgra, doing business as the Butterball Turkey Company, operates a turkey slaughterhouse in Carthage, Missouri that kills approximately 30,000 birds every day.⁷³ The plant discharges around 1.3 million gallons of pretreated slaughterhouse wastes per day to the City of Carthage wastewater treatment system.⁷⁴ Since 1990, state and federal regulators have

documented dozens of violations of pollution limits set forth in the plant's operating permit.⁷⁵ Missouri officials have issued the plant at least 14 Notices of Violation for permit violations, odor violations, or for several reported and unreported spills and discharges involving either animal waste, animal remains, blood and grease, or fat and skin.⁷⁶ Despite the fact that one of the company's lagoons was leaking nearly a million gallons of waste per month, ConAgra did not close the lagoon until more than four years had passed, and after six written requests by Missouri officials asking for a closure plan.⁷⁷ To date, ConAgra has paid approximately \$42,000 in fines for environmental violations at its plant.⁷⁸

OTHER RAPS:

◆ ConAgra, doing business as Armour Fresh Meats Company, operates a cattle slaughterhouse and holding pens in Nampa, Idaho.⁷⁹ In November 1998, the company agreed to pay \$1 million in civil penalties and more than \$1 million in injunctive relief, facility upgrades and supplemental environmental projects to settle civil claims by the U.S. Environmental Protection Agency against ConAgra for violations of the Clean Water Act.⁸⁰

◆ ConAgra, doing business as Monfort, operates a cattle slaughterhouse and processing plant in Greeley, Colorado.⁸¹ In September 1998, the U.S. Department of Labor fined Monfort \$1,278,500 for willful and repeated violations of the Fair Labor Standards Act for failing to pay 2,557 employees overtime wages due them.⁸² A federal appeals court ordered the company to pay workers more than \$2.2 million in back wages and interest.⁸³

◆ In 1992, approximately 300 southeastern poultry growers were awarded nearly \$17 million in damages by a federal court after ConAgra was accused of cheating them on the live weight of delivered birds.⁸⁴

FOR A COMPLETE RECORD OF CONAGRA'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST CONAGRA'S POLLUTION OF OUR AIR AND WATER, call the company at: (402) 595-4000



CONTIGROUP-PSF

Jurors Award Continental's Neighbors \$5.2 Million for Odor Nuisance; State Documents More Than 160 Spills of Hog Wastes

FORTUNE 500 RANKING: PRIVATELY HELD
ANNUAL REVENUES: NOT AVAILABLE
HEADQUARTERS: NEW YORK, NEW YORK

SUMMARY:

Continental Grain Company,

founded in Belgium in 1813, is one of the largest privately held companies in the United States. The company changed its name to ContiGroup Companies in 1999. ContiGroup is a majority owner of Premium Standard Farms (PSF) and combined its hog operations with PSF. Under the PSF name, ContiGroup grows and slaughters approximately 3.5 million hogs each year at operations in Missouri, North Carolina and Texas. ContiGroup also sells 250 million chickens worldwide under the Wayne Farms and Dutch Quality house labels, and markets around one million head of cattle each year through six major feedlots in Colorado, Kansas, Oklahoma and Texas. ContiSea produces approximately 12 million pounds of factory-farmed salmon annually, grown in undersea cages along Maine's Coast.

ContiGroup-PSF hog operations in Missouri have a history of chronic environmental compliance problems, including more than 160 accidental spills or intentional discharges of hog waste that have killed more than 302,000 fish.⁸⁵ Since August 1995, state officials have issued ContiGroup facilities nearly two dozen Notices of Violation.⁸⁶ State inspectors have documented afterbirth, veterinary waste and



Uncovered Grave: Dead hogs are dumped in a carcass pit at a PSF contract operation.

trash floating in lagoons, and overapplication of animal wastes to fields.⁸⁷ In August 1996, a neighboring farmer videotaped Continental Grain (as the company was then called) intentionally dumping lagoon wastes into a tributary of Coon Creek, and alerted state officials.⁸⁸ To date, the operations have paid \$1,174,582 in state pollution penalties.⁸⁹

OTHER RAPS:

◆ Fed-up rural residents have begun to fight back. In 1997 and 1998, a coalition of rural residents called CLEAN filed federal pollution suits against PSF and Continental under the Clean Water Act and Clean Air Act.⁹⁰ Federal officials ultimately entered the lawsuits, assessed a \$350,000 fine and required an estimated \$50 million in remediation at the companies' hog production facilities.⁹¹

◆ In another suit decided in April 1999, jurors awarded more than 50 rural residents \$5.2 million in damages for nuisance odor, fly infestations and spills caused by Continental Grain hog operations.⁹² The Missouri Court of Appeals unanimously affirmed the judgment in February 2001, writing in its Opinion that the cessation of Continental's nuisance was both "reasonably practicable and economically feasible."⁹³

◆ ContiGroup has also encountered labor problems. In 2000, ContiGroup subsidiary Wayne Farms settled a complaint brought against the company by the U.S. Department of Labor, which alleged that its Union Springs, Alabama, plant failed to pay overtime compensation to its chicken-catching crews.⁹⁴ The case was settled by the payment of \$148,106 in back wages and interest to 37 workers and a court order to comply in the future.⁹⁵

FOR A COMPLETE RECORD OF CONTIGROUP'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp

TO PROTEST CONTIGROUP-PSF'S POLLUTION OF OUR AIR AND WATER, call the company at: (212) 207-5617



DECOSTER

DeCoster Fined More Than \$2.2 Million for 'Atrocious' Working Conditions and 'Deplorable' Worker Housing

FORTUNE 500 RANKING: NOT AVAILABLE
ANNUAL REVENUES: NOT AVAILABLE
HEADQUARTERS: CLARION, IOWA



Chicken Coop: Hens are often confined in small spaces in large-scale egg and poultry operations.

SUMMARY:

DeCoster is the nation's fourth-largest egg producer,⁹⁶

and a top 25 hog producer.⁹⁷ Between 1987 and 1996, DeCoster Farms received well over \$15 million in subsidies from the federal government's Export Enhancement Program.⁹⁸

Austin "Jack" DeCoster owns egg-layer complexes near Turner, Maine, that confine approximately 3.5 million hens producing 12-14 million eggs each week.⁹⁹ Since May 1997, the egg operations have paid \$2,224,625 in

finances for numerous alleged worker health and safety violations, as well as wage and hour violations.¹⁰⁰ United States Labor Secretary Robert B. Reich alleged that the facilities were, "as dangerous and oppressive as any sweatshop we have seen. Fear and intimidation kept these workers in this unsafe, unhealthy atmosphere and living in totally unsanitary conditions."¹⁰¹

OTHER RAPS:

◆ State and federal judges and regulatory officials have used various adjectives to describe DeCoster's facilities or conduct, including: "abominable, atrocious, dangerous, deplorable, egregious, habitual, horrendous, inexcusable, negligent, oppressive" and "shameful."¹⁰²

◆ DeCoster's Iowa-based egg factories have also come under scrutiny. In August 2001, the United States Equal Employment Opportunity Commission (EEOC) filed a lawsuit against DeCoster Farms of Iowa accusing three male supervisors at four egg packaging plants of raping Hispanic female employees, and threatening to kill them or fire them if they reported it.¹⁰³ The rapes allegedly occurred in vehicles and storage areas at the facilities.¹⁰⁴

◆ DeCoster's Iowa-based hog facilities also have a history of chronic environmental compliance problems. The State of Iowa has sued the operations five times, resulting in \$229,000 in fines and penalties.¹⁰⁵ In June 2000, Iowa classified DeCoster as a "habitual violator" of the state's environmental laws, prohibiting the construction of any new facilities.¹⁰⁶

FOR A COMPLETE RECORD OF DECOSTER'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp

TO PROTEST DECOSTER'S POLLUTION OF OUR AIR AND WATER, call the company at: (515) 852-3305



FOSTER

Foster Pays \$500,000 Criminal Fine for 11 Million-Gallon Discharge Into San Luis National Wildlife Refuge

FORTUNE 500 RANKING: PRIVATELY OWNED
ANNUAL REVENUES: \$1.0 BILLION
HEADQUARTERS: LIVINGSTON, CALIFORNIA



Poisoned Wildlife: The Foster spill in San Luis National Wildlife Refuge killed an endangered species that lived in vernal pool habitat similar to this.

SUMMARY:

Foster Farms is the largest poultry corporation in the West,

with annual sales exceeding \$1 billion.¹⁰⁷ Privately held since 1939, Foster owns and operates hatcheries, growing complexes, feed mills, processing plants and delivery systems in Alabama, California, Oregon and Washington.¹⁰⁸

In January 1998, Foster Poultry Farms pleaded guilty to violating the Clean Water Act for negligently discharging approximately 11 million gallons of stormwater contaminated with chicken manure into the San Luis

National Wildlife Refuge.¹⁰⁹ Foster Farms also pleaded guilty to violating the federal Endangered Species Act (ESA) by discharging polluted wastewater that killed vernal pool tadpole shrimp, a species protected under the ESA.¹¹⁰ Foster Farms spent approximately \$750,000 on improvements at its manure storage yard and agreed to pay a criminal fine of \$500,000, a portion of which was used to enhance National Wildlife Refuges in the Central Valley of California.¹¹¹

OTHER RAPS:

◆ In August 1999, Foster recalled approximately 33,710 pounds of turkey franks produced at its Livingston, California plant that were potentially contaminated with *Listeria monocytogenes*, a pathogen that can be deadly.¹¹² The recall affected meat distributors in six states.¹¹³

FOR A COMPLETE RECORD OF FOSTER'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST FOSTER'S POLLUTION OF OUR AIR AND WATER, call the company at: (800) 255-7227



SAND LIVESTOCK SYSTEMS, INC.

Three Hog Lagoon Failures Spill Millions of Gallons of Liquefied Feces and Urine

FORTUNE 500 RANKING: PRIVATELY OWNED
ANNUAL REVENUES: NOT AVAILABLE
HEADQUARTERS: COLUMBUS, NEBRASKA



Life Sentence: Pigs are kept in crowded conditions at most large hog operations

SUMMARY:

Sand Livestock Systems, Inc. is the #15 hog producer in the nation.¹¹⁴

CEO Chuck Sand owns, controls, operates or is otherwise affiliated with multiple hog factories under the names of Sand Livestock Systems, Furnas County Farms, Holbrook and Enterprise Partners.¹¹⁵ Sand Livestock is a multinational corporation, with facilities in the United States, China and South Korea, as well as projects planned for Central and South America, Africa and Europe.¹¹⁶

Three of Sand's facilities in Nebraska suffered catastrophic lagoon failure in 1992 and 1993, spilling millions of gallons of liquefied hog feces and urine.¹¹⁷ In two instances, lagoon walls collapsed.¹¹⁸ In the third, a hole opened underneath a lagoon, draining its contents.¹¹⁹ State officials apparently took no enforcement actions related to the massive spills, except to request a risk assessment of other company lagoons.¹²⁰

OTHER RAPS:

◆ In the 1980s, Chuck Sand owned, controlled, operated or was otherwise affiliated with a 25,000-hog factory in Michigan.¹²¹ In October 1986, a citizens group — Farm Environmental Defense Foundation — sued Sand Livestock, alleging the hog facility was a nuisance.¹²² In September 1987, the State of Michigan joined with the citizens and sued Sand, alleging violations of state air and water pollution laws.¹²³ In June 1989, a court ruling placed severe restrictions on Sand's existing facility, effectively barring Sand Livestock from operating in 50 Michigan townships ever again.¹²⁴

FOR A COMPLETE RECORD OF SAND LIVESTOCK'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST SAND LIVESTOCK'S POLLUTION OF OUR AIR AND WATER, call the company at: (402) 564-1211



SEABOARD FARMS

Seaboard Sued for Ongoing Violations of Federal Clean Water Act

FORTUNE 500 RANKING: 758
ANNUAL REVENUES: \$1.8 BILLION
HEADQUARTERS: SHAWNEE MISSION, KANSAS



Barns in a Row: The waste from Seaboard hog factories, like these above, has resulted in violations of the Clean Water Act.

SUMMARY:

Seaboard Corporation, with operations in 20 countries throughout Africa and the Americas, is a diversified business that includes cargo

shipping, grain milling, power generation, commodity merchandising and hog factories.¹²⁵ Its swine division, Seaboard Farms, is the nation's third-largest pork producer and packer.¹²⁶ The company produces more than 3 million hogs each year at operations in Colorado, Kansas, Oklahoma and Texas, and slaughters approximately 4.5 million hogs annually at its Oklahoma plant.¹²⁷ From 1996-2000, Seaboard received \$3.1 million for its sales to the School Lunch Program and other

Federal Food Assistance Programs.¹²⁸

Seaboard's Dorman facility in Beaver County, Oklahoma, has had more than a dozen waste spills from plugged, cracked or broken pipelines, or the overapplication of swine wastes on fields.¹²⁹ For example, more than 100,000 gallons of swine effluent flowed into a nearby natural streambed in just one day. The Sierra Club sued the facility in June 2000, alleging ongoing violations of the federal Clean Water Act.¹³⁰

OTHER RAPS:

◆ Seaboard workers have faced a number of allegations that point to extremely disturbing and inhumane practices. The Texas County Oklahoma District Attorney charged one employee with four felony counts of animal cruelty after the worker was allegedly videotaped beating and smashing pigs to death.¹³¹ The Texas County District Attorney noted that additional charges against other workers were being considered after receiving written complaints and viewing videotape that allegedly depicted pigs being stomped, beaten with metal rods, bludgeoned to death with a hammer, and picked up by their hind legs and slammed against the floor.¹³² The charges also included the abandonment of sick animals.¹³³

◆ Seaboard Farms also faces public health concerns in Kansas. Inspectors with the Kansas Department of Health and Environment have noted dead pigs, tires, artificial insemination tubes, syringes and other animal medical waste floating in Seaboard's lagoons.¹³⁴ In Stevens County, the Sheriff's Department investigated a spill of blood and dead animal debris on a rural highway that was suspected to be from a Seaboard carcass hauler.¹³⁵

FOR A COMPLETE RECORD OF SEABOARD'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp

TO PROTEST SEABOARD'S POLLUTION OF OUR AIR AND WATER, call the company at: (913) 676-8800.



SMITHFIELD FOODS

Smithfield Slaughterhouse Fined \$12.6 Million for More Than 7,000 Clean Water Act Violations

FORTUNE 500 RANKING: 305
ANNUAL REVENUES: \$5.9 BILLION
HEADQUARTERS: SMITHFIELD, VIRGINIA



Fish Kill: Fish with sores from the Neuse River in North Carolina suspected to be linked to animal waste spills.

SUMMARY:

Smithfield Foods is the world's largest pork producer and packer,

selling approximately 12 million hogs in the U.S. every year.¹³⁶ The company grows hogs in 10 states, Brazil and Mexico, and owns slaughterhouses and processing facilities in 11 states, Canada, France, Mexico and Poland. In North America, Smithfield sells its meat under several well-known brands, and the company's Ember Farms label is a major supplier of cooked sausage to McDonald's.¹³⁷

In August 1997, a federal judge in Virginia fined Smithfield \$12.6 million for chronically dumping slaughterhouse wastes into the

Pagan River, a tributary of the Chesapeake Bay.¹³⁸ At the time, it was the largest civil penalty pollution fine in U.S. history.¹³⁹ The United States Department of Justice and the Environmental Protection Agency found almost 7,000 violations of the Clean Water Act at the plant and accused Smithfield of falsifying and destroying records to conceal its actions.¹⁴⁰ Smithfield's wastewater treatment plant manager was sentenced to 30 months in prison for crimes that he claims Smithfield officials ordered him to commit.¹⁴¹

OTHER RAPS:

◆ Smithfield Foods controls, by ownership or contract, multiple hog confinement complexes and production operations in several North Carolina counties. These facilities have had chronic environmental compliance problems for years. In just two years, 1999 and 2000, the operations received approximately 178 Notices of Violation for offenses including reported and unreported spills, discharges into streams or wetlands, overapplication of wastes, breached or abandoned lagoons, and other operational problems.¹⁴²

◆ Smithfield's massive Circle Four hog complex in Utah has a poor worker safety record. Nine Circle Four workers were sent to the hospital after being overcome by toxic gases.¹⁴³ On New Year's Eve 1998, one worker died by electrocution while washing manure from a confinement floor.¹⁴⁴

◆ Smithfield's Murphy Family Farms facilities in Missouri have a history of chronic environmental compliance problems. State officials have documented six waste lagoon overflows into streams totaling approximately 1.7 million gallons, as well as multiple leaking lagoons and slumping and unstable lagoons that the state required Murphy to repair.¹⁴⁵

FOR A COMPLETE RECORD OF SMITHFIELD'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp

TO PROTEST SMITHFIELD'S POLLUTION OF OUR AIR AND WATER, call the company at: (757) 365-3000



TYSON

Tyson Tied to Illegal Immigration Conspiracy

FORTUNE 500 RANKING: 177
ANNUAL REVENUES: \$10.7BILLION
HEADQUARTERS: SPRINGDALE, ARKANSAS



Mount Manure: This poultry waste pile on the property of one operator in Webster County, Kentucky, has been present for most of the past three years, occasionally running off into a ditch, eventually ending up in the Green River.

SUMMARY:

Tyson is the world's largest poultry producer and packer,¹⁴⁶

and the eighth-largest pork producer in the U.S.¹⁴⁷ The company operates slaughterhouses or processing plants in 15 states.¹⁴⁸ From 1996-2000, Tyson Foods received \$102.7 million for its sales to the School Lunch Program and other Federal Food Assistance Programs.¹⁴⁹ Even though Tyson benefits from taxpayer dollars, the company has violated critical environmental and labor protections.

In December 2001, the U.S. Justice

Department filed a 36-count indictment against Tyson Foods and six of its executives and managers, charging them with conspiracy to smuggle illegal aliens from Mexico and Central America to work in 15 of its U.S. poultry processing plants.¹⁵⁰ The Justice Department also alleged that Tyson and its co-conspirators assisted the workers in obtaining fraudulent identification and employment documents.¹⁵¹

OTHER RAPS:

◆ In June 1998, a Tyson's processing plant in Hope, Arkansas recalled approximately 126,240 pounds of chicken nuggets and breast fillets that were potentially contaminated with wire.¹⁵²

The recall was triggered by customer complaints in three states, and affected one national restaurant chain.¹⁵³

◆ Tyson Foods has also run into problems in Oklahoma where it operates hog factories. Tyson's swine operations are responsible for numerous reported and unreported waste spills dating back to 1995, including one in July 1999 that caused a fish kill.¹⁵⁴ Other documented problems associated with the factories include spraying feces onto neighboring property and mismanaging hog corpses.¹⁵⁵ The state agriculture department has issued a Letter of Warning to at least four different complexes, and fined Tyson another \$5,000 for a series of improper waste discharges.¹⁵⁶

◆ Despite Tyson's federal violations, the company maintains a close rapport with government employees — perhaps too close. In December 1997, Tyson Foods pleaded guilty to giving former USDA Secretary Mike Espy more than \$12,000 in illegal gratuities and agreed to pay \$6 million in criminal fines and investigative expenses.¹⁵⁷ Two Tyson executives were also eventually convicted and sentenced to prison terms, but were later pardoned by President Bill Clinton.¹⁵⁸

FOR A COMPLETE RECORD OF TYSON'S VIOLATIONS, log onto: www.sierraclub.org/factoryfarms/rapsheets/operators.asp
TO PROTEST TYSON'S POLLUTION OF OUR AIR AND WATER, call the company at: (800) 424-4253

Alternatives to Animal Factories

Purchasing Responsibly-Raised Meat Protects Our Health and Environment

The good news is that consumers have options when it comes to purchasing meat and poultry. There are traditional family farmers who do not raise their livestock in cramped, inhumane conditions that necessitate the widespread use of antibiotics. In fact, many farmers raise animals on a smaller scale and give their livestock more room to roam, resulting in meat that poses fewer health and environmental risks.

How do you find meat and poultry products that are raised without putting your health, your environment and local communities at risk? Ask your grocer where the store purchases the meat it sells, and ask your grocer to stock meat that has been raised without antibiotics or hormones. Your grocer will stock



Small Pigs for Small Farms: Farmer and Sierra Club leader Bob Warrick holds "Babe" at a Nebraska rally against mega-hog operations.

products you ask for as long as there is a market for the product.

Often, you can also find meat at some farmers' markets. Many farmers' markets sell

meat that is locally grown and produced by farmers who raise their livestock responsibly. Of course, ask first before you buy the product. Just as you would research the safety of a car before you buy it, you should ask questions about the safety of the food you purchase for yourself and your family.

Finally, there are a few Web sites that may help you to find meat and poultry products that are safe for you and your family. Please visit our site at www.sierraclub.org and check out some of the following sources of information.

TAKE ACTION!

LOCATE grocers, producers, restaurants

and retailers nationwide that offer antibiotic-free, organic and humanely raised meat products.

www.iatp.org/foodsec/library/admin/uploaded/files/Eat_Well_Eat_Antibiotic-Free_2.htm

SEEK OUT AND PATRONIZE the local farmers' markets in your community.

www.ams.usda.gov/farmersmarkets/map.htm

SUPPORT a Community Supported Agriculture Farm in your area. www.nal.usda.gov/afsic/csa/csastate.htm

JOIN a food cooperative or food circle.

www.cooperativegrocer.com/coopdir.html

THE SIERRA CLUB SUPPORTS America's independent family farmers and ranchers who bring safe, wholesome and humanely raised meat products and produce to our nation's tables.

Endnotes

- 1 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.
- 2 Minority Staff of the United States Senate Committee on Agriculture, Nutrition, and Forestry, *Animal Waste Pollution in America: An Emerging National Problem*, Washington, D.C. (December 1997), p. 5.
- 3 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. 1-1.
- 4 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.
- 5 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. 1-1.
- 6 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.
- 7 Iowa State University and the University of Iowa Study Group, *Iowa Concentrated Animal Feeding Operations Air Quality Study: Final Report* (February 2002).
- 8 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. x.
- 9 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.
- 10 Personal communication with Julie Jansen, Clean Water Action Alliance of Minnesota, Olivia, Minnesota.
- 11 Ibid.
- 12 Iowa State University and the University of Iowa Study Group, *Iowa Concentrated Animal Feeding Operations Air Quality Study: Final Report* (February 2002), Table 10-1, p. 198.
- 13 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 42; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002).
- 14 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. x.
- 15 "Spontaneous abortions possibly related to ingestions by nitrate-contaminated well water—LaGrange County, Indiana, 1991-1994," *Morbidity and Mortality Weekly Report*, Report 26, Centers for Disease Control (July 5, 1996), p. 569-571.
- 16 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 44; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002).
- 17 Ibid, p. 43-44.
- 18 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. x.
- 19 Ibid.
- 20 Mead, Paul S., Laurence Slutsker, Vance Dietz, Linda McCaig, Joseph S. Bresee, Craig Shapiro, Patricia M. Griffin, and Robert V. Tauxe for Centers for Disease Control and Prevention, Atlanta, Georgia, "Synopsis Food-Related Illness and Death in the United States Centers," *Emerging Infectious Diseases*, Vol. 5, No. 5 (September-October 1999); www.cdc.gov/ncidod/cid/vol5no5/mead.htm#Table%203 (accessed 6/6/2002).
- 21 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.
- 22 "Preliminary FoodNet Data on the Incidence of Foodborne Illnesses-Selected Sites, United States," *Morbidity and Mortality Weekly Report*, Vol. 51, No. 15, Centers for Disease Control (April 19, 2002), p. 325-329.
- 23 Minority Staff of the United States Senate Committee on Agriculture, Nutrition, and Forestry, *Animal Waste Pollution in America: An Emerging National Problem*, Washington, D.C. (December 1997), p. 4; Silbergeld, E. K., L. Grattan, D. Oldach, and J. G. Morris, "Pfiesteria: Harmful Algal Blooms as Indicators of Human:Ecosystem Interactions," *Environmental Resources* 82 (2):97-105; Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5):445-456.
- 24 Glasgow, H. B., J. M. Burkholder, D. E. Schmechel, P. A. Tester, and P. A. Rublee, "Insidious Effects of a Toxic Dinoflagellate on Fish Survival and Human Health," *Journal of Toxicology and Environmental Health* 46:501-522 (1995).
- 25 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 46; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002); U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001).
- 26 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001) p. 2-16.
- 27 Mulla, David et al., "Environmental Impact Statement on Animal Agriculture: A Summary of the Literature Related to the Effects of Animal Agriculture on Water Resources (G)," Prepared for the Environmental Quality Board by the University of Minnesota, College of Agriculture, Food, and Environmental Sciences (1999).
- 28 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 46; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002); U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001).
- 29 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 46; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002); Tetra Tech, "Literature Review and Assessment of Pathogens, Heavy Metal, and Antibiotic Content of Waste and Wastewater Generated by CAFOs," EPA contract 68-C-99-263 (2000).

30 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 46; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002); U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001).

31 Horrigan, Leo, Robert S. Lawrence and Polly Walker, "How Sustainable Agriculture Can Address the Environmental and Human Health Harms of Industrial Agriculture," *Environmental Health Perspectives*, 110(5): 445-456.

32 Ibid.

33 World Health Organization, "Antibiotic Use in Food-Producing Animals Must Be Curtailed to Prevent Increased Resistance in Humans," Press Release WHO/73, Geneva (October 20, 1997).

34 American Medical Association, House of Delegates, Resolution: 508 (June 2001).

35 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 41-43; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002).

36 U.S. Environmental Protection Agency, Office of Water, *Environmental Assessment of Proposed Revisions to the National Pollutant Discharge Elimination System Regulation and the Effluent Guidelines for Concentrated Animal Feeding Operations*, Washington, D.C., EPA-821-B-01-001 (2001).

37 Ibid, p. xi.

38 Ibid.

39 Ibid.

40 Ibid.

41 U.S. Environmental Protection Agency, *Proposed CAFO Preamble and Rule* (12/15/00), p. 43; www.epa.gov/npdes/pubs/cafo_ch5.pdf (accessed 04/17/2002).

42 Ibid.

Buckeye

43 Eric Lyttle, "As the Empire Cracks," *Columbus Monthly Magazine* (September 2000).

44 *State of Ohio, Betty Montgomery, ex rel v. Buckeye Egg Farm, LLP et al.*, Case No. 99-CV-756, Licking County Court of Common Pleas.

45 Ibid.

46 Ibid.

47 Michael Hawthorne, "State Fighting Egg Farm Again," *Dispatch Environment Reporter* (November 30, 2001).

48 Ibid.

49 Ibid.

50 Associated Press, "Buckeye Ponders Options After Verdict," (September 10, 2001).

51 Eric Lyttle, "As the Empire Cracks," *Columbus Monthly Magazine* (September 2000).

52 Ibid.

53 David Rohn, "State's Largest Hog Farm Facing Fine for Pollution," *Indianapolis Star* (August 13, 2001).

54 Ibid.

55 Ibid.

56 Ibid.

57 Ibid.

58 Ibid.

Cargill

59 Cargill Web site at www.cargill.com (accessed July 2001).

60 Excel Web site at www.excelmeats.com (accessed July 2001).

61 Ibid.

62 U.S. Department of Agriculture, Agriculture Marketing Service Food Purchase Resources, www.ams.usda.gov/cp/index.htm.

63 Associated Press, "CDC: Deaths Linked to Recalled Turkey," (December 15, 2000).

64 U.S. Department of Agriculture, Food Safety and Inspection Service, Recall Release FSIS-RC-00-075, Washington, D.C. (December 14, 2000).

65 Associated Press, "CDC: Deaths Linked to Recalled Turkey," (December 15, 2000); U.S. Department of Agriculture, Food Safety and Inspection Service, Recall Release FSIS-RC-00-075, Washington, D.C. (December 14, 2000).

66 U.S. Department of Agriculture, Food Safety and Inspection Service, Recall Release FSIS-RC-01-031, Washington, D.C. (June 24, 2001).

67 Ibid.

68 U.S. Department of Labor, Employment Standards Release, "U.S. Department of Labor Sues Excel Corporation Seeking Compliance with Federal Overtime Law," (July 16, 1998).

69 Ibid.

70 U.S. Environmental Protection Agency Press Release, "Missouri Company to Pay Over \$1.5 Million in Fines, Costs, Restitution," Washington, D.C. (February 28, 2002).

71 Ibid.

ConAgra

72 U.S. Department of Agriculture, Agriculture Marketing Service Food Purchase Resources, www.ams.usda.gov/cp/index.htm.

73 U.S. Environmental Protection Agency, Region VII, Environmental Services Division, "Report of Compliance Evaluation Inspection at Con-Agra/Butterball Turkey Company, Carthage, Missouri," (Inspection completed August 3-5, 1998).

74 Ibid.

75 Missouri Department of Natural Resources Notices of Violation, Notices of Excess Emissions and Internal Memorandums (March 1990-April 2001); U.S. Environmental Protection Agency Report of Compliance Evaluation Inspection and Internal Memorandum (October 1998-March 2000).

76 Missouri Department of Natural Resources Notices of Violation, Notices of Excess Emissions and Internal Memorandums (March 1990-April 2001).

77 Missouri Department of Natural Resources Notice of Violation #2205SW (April 15, 1996).

78 Missouri Department of Natural Resources Notices of Violation, Notices of Excess Emissions and Internal Memorandums (March 1990-April 2001); U.S. Environmental Protection Agency Report of Compliance Evaluation Inspection and Internal Memorandum (October 1998-March 2000).

79 Consent Decree, *The United States v. ConAgra, Inc.*, Civil Action No. CIV96-0134-S-LMB, U.S. District Court for the District of Idaho, p.1-2.

80 Ibid.

81 U.S. Department of Labor, Employment Standards Release, "Colorado Meatpacker Fined Nearly \$1.3 Million for Repeated Violations of Federal Overtime Law," (September 18, 1998).

82 Ibid.

83 Ibid.

84 Lee Pitts, "Big Behavior," *Livestock Market Digest* (August 22, 2000).

ContiGroup-PSF

85 Missouri Department of Natural Resources Inspection Reports and Spill Investigation Reports of Continental Grain Company (May 1991-June 2001); Missouri Department of Natural Resources Inspection Reports and Spill Investigation Reports of Premium Standard Farms (May 1991-June 2001).

86 Ibid.

87 Ibid.

88 Ibid.

89 Ibid.

90 CLEAN v. Continental Grain Company, Case No. 98-6099-CV-W-6, U.S. District Court for the Western District of Missouri; CLEAN and the United States of America v. Premium Standard Farms, Case No. 97-6073-SJ-6, U.S. District Court for the Western District of Missouri.

91 Ibid.

92 Vernon Hanes, et al. v. Continental Grain Company, et al., Case No. 962-7621A, Division 1 Circuit Court for the City of St. Louis.

93 Opinion by Sherri B. Sullivan, Judge, Vernon Hanes, et al. Appellants v. Continental Grain Company, et al. Respondents, Case No. ED76807, Missouri Court of Appeals Eastern District.

94 U.S. Department of Labor, ESA Press Release, "U.S. Department of Labor Seeks Back Pay for Poultry Workers," (June 19, 1999); U.S. Department of Labor, Wage and Hour Division Press Release 00-203 (November 3, 2000).

95 U.S. Department of Labor, Wage and Hour Division Press Release 00-203 (November 3, 2000).

DeCoster

96 The Humane Society of the United States, "An Overview of Laying Hens and the U.S. Egg Industry," (February 1998).

97 Successful Farming Exclusive, Pork Powerhouses 2001 (October 2001), www.agriculture.com/sfonline/sf/2001/october/pork_powerhouses.pdf.

98 U.S. Department of Agriculture Foreign Agriculture Service, "Export Enhancement Program" (September 1999), www.fas.usda.gov/excredits/eep.html.

99 U.S. Department of Labor, News Release USDL: 96-286 (July 12, 1996), www.osha.gov/media/oshnews/july96/osha96-286.html.

100 U.S. Department of Labor, Region 1 News Release: BOS 2000-177 (December 1, 2000), www.osha.gov/media/oshnews/dec00/reg1-20001201.html.

101 U.S. Department of Labor, News Release USDL: 96-286 (July 12, 1996), www.osha.gov/media/oshnews/july96/osha96-286.html.

102 U.S. Department of Labor, News Release USDL: 96-286 (July 12, 1996), www.osha.gov/media/oshnews/july96/osha96-286.html; Iowa Department of Justice, News Release, "DeCoster to be Classified as First 'Habitual Violator'" (June 15, 2000), www.state.ia.us/government/ag/consumer/press_releases/Decoster-settlement-release-6-15-00.html; Thomas Beaumont, "Allegations of rape at egg farm 'horrendous,'" *Des Moines Register* (August 23, 2001).

103 Thomas Beaumont, "Allegations of rape at egg farm 'horrendous,'" *Des Moines Register* (August 23, 2001).

104 Ibid.

105 Iowa Department of Justice, News Release, "DeCoster to be Classified as First 'Habitual Violator'" (June 15, 2000), www.state.ia.us/government/ag/consumer/press_releases/Decoster-settlement-release-6-15-00.html.

106 Ibid.

Foster

107 Foster Farms Web site at www.fosterfarms.com/detail.asp?SID=f. (accessed July 2001).

108 Ibid.

109 U.S. Environmental Protection Agency, Headquarters Press Release, "California Poultry Farm Pleads Guilty to Clean Water Act Violations," Washington, D.C. (January 23, 1998).

110 Ibid.

111 Ibid.

112 U.S. Department of Agriculture, Food Safety and Inspection Service, Recall Notification Report 043-99, Washington, D.C. (August 27, 1999).

113 Ibid.

Sand

114 Successful Farming Exclusive, Pork Powerhouses 2001 (October 2001), www.agriculture.com/sfonline/sf/2001/october/pork_powerhouses.pdf.

115 Nebraska Department of Environmental Quality Inspection Data Sheets and Internal Memorandums (October 1991-April 2000).

116 Sand Livestock Systems, Inc. Web site at www.sandlivestock.com (accessed July 2001).

117 Nebraska Department of Environmental Control Quality Inspection Data Sheets and Internal Memorandums (October 1991-April 2000).

118 Ibid.

119 Ibid.

120 Ibid.

121 Farm Environment Defense Foundation, et al. v. The Michigan Water Resources Commission, Sand Livestock et al., Case No. 86-57306-CE, Circuit Court for Ingham County Michigan.

122 Ibid.

123 Ibid.

124 Consent Judgment, Farm Environment Defense Foundation, et al. v. The Michigan Water Resources Commission, Sand Livestock et al., Case No. 86-57306-CE, Circuit Court for Ingham County Michigan.

Seaboard

125 Seaboard Farms Web site at www.seaboardfarms.com (accessed July 2001); Seaboard Corporation Web site at www.seaboardcorp.com (accessed May 2002).

126 Successful Farming Exclusive, Pork Powerhouses 2001 (October 2001), www.agriculture.com/sfonline/sf/2001/october/pork_powerhouses.pdf.

127 Seaboard Farms Web site at www.seaboardfarms.com (accessed July 2001).

128 U.S. Department of Agriculture, Agriculture Marketing Service Food Purchase Resources, www.ams.usda.gov/cp/index.htm.

129 Sierra Club v. Seaboard Farms, Inc., Seaboard Corporation, and Shawnee Funding Limited Partnership, Case No. CIV-00-997-C, U.S. District Court for the Western District of Oklahoma.

130 Ibid.

131 Marc Kaufman, "Ex-Pig Farm Manager Charged with Cruelty," *The Washington Post* (September 9, 2001); Randy Ellis, "Prosecutor Files Counts Alleging Cruelty to Hogs," *The Daily Oklahoman* (September 8, 2001).

132 Ibid.

133 Ibid.

134 Kansas Department of Health and Environment Internal Memorandum and Confined Animal Feeding Facility Inspection Report (January 1997-March 1999).

135 Kansas Standard Offense Report, Stevens County Sheriff's Department (May 13, 1997).

Smithfield

136 Successful Farming Exclusive, Pork Powerhouses 2001 (October 2001), www.agriculture.com/sfonline/sf/2001/october/pork_powerhouses.pdf.

137 Smithfield Foods, Inc. Web site at www.smithfieldfoods.com/aboutus/meat.html (accessed July 2001).

138 Ellen Nakashima, "Court Fines Smithfield \$12.6 Million," *The Washington Post* (August 9, 1997).

139 Ibid.

140 Ibid.

141 "Smithfield's Dirty Deeds," Editorial Section, *The Washington Post* (August 13, 1997).

142 North Carolina Department of Environment and Natural Resources Database, including Notices of Violation, Notices of Deficiency, Notices of Recommendation for Enforcement and Notices of Referral (October 1995-March 2001).

143 Mike Carter, "Fumes Overcome Four Workers at Hog Farm," *Salt Lake Tribune* (April 24, 1998); Ben Winslow, "Hog Fumes Send 5 to Hospital," *Salt Lake Tribune* (July 9, 1998).

144 Michael Vigh, "Death Prompts New Safety Measures at Hog Farm," *Salt Lake Tribune* (January 10, 1999).

145 Missouri Department of Natural Resources Inspection Reports and Spill Investigation Reports of Murphy Family Farms (May 1992-April 2001).

Tyson

146 WATT PoultryUSA, "WATT PoultryUSA's Rankings 2001," (January 2002).

147 Successful Farming Exclusive, Pork Powerhouses 2001 (October 2001), www.agriculture.com/sfonline/sf/2001/october/pork_powerhouses.pdf.

148 Tyson Foods, Inc. Web site at www.tyson.com (accessed May 2002).

149 U.S. Department of Agriculture, Agriculture Marketing Service Food Purchase Resources, www.ams.usda.gov/cp/index.htm.

150 United States v. Tyson Foods, Inc., et al., Case No. 4:01-CR-61, U.S. District Court for the Eastern District of Tennessee.

151 Ibid.

152 U.S. Department of Agriculture, Food Safety and Inspection Service, Recall Notification Report 018-98, Washington, D.C. (June 8, 1998).

153 Ibid.

154 Oklahoma Department of Agriculture Investigation Reports, Correspondence, Internal Memorandums, Complaint Statements, Letters of Warning and Discharge Reports (June 1995-August 2000); U.S. Environmental Protection Agency Records and Correspondence (November 1997-December 1999).

155 Oklahoma Department of Agriculture Investigation Reports, Correspondence, Internal Memorandums, Complaint Statements, Letters of Warning and Discharge Reports (June 1995-August 2000).

156 Ibid.

157 Office of the Independent Counsel Smaltz Press Release (December 29, 1997).

158 David Barboza, "Tyson Fosters Ties to Officials but can not Avoid Scrutiny," *New York Times* (January 1, 2002).



85 Second St., Second Floor, San Francisco, CA 94105,(415) 977-5500
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