



OHIO LIVESTOCK CARE STANDARDS BOARD

Meeting Minutes – April 5, 2011

Chairman Zehringer called the meeting to order in Auditorium A of the Bromfield Administration Building at 1:00 p.m.

Board members present: Chairman Jim Zehringer, Dr. Jerry Lahmers, Harold Dates, Jeff Wuebker, Bill Moody, Dr. Tony Forshey, Dr. Bobby Moser, Robert Cole, Dr. Jeff LeJeune, Dominic Marchese, and Dr. Leon Weaver.

Board members absent: Lisa Hamler-Fugitt, Stacey Atherton

During his opening comments, Chairman Zehringer thanked the members of the board and subcommittees for their dedication and hard work. Chairman Zehringer also thanked the citizens who attended the meetings for their participation.

The first item on the agenda was the approval of the March 1, 2011 meeting minutes. The minutes were approved by a vote of 11-0.

ODA Chief Legal Counsel Bill Hopper provided a Joint Committee on Agency Rule Review (JCARR) rule filing update. Rules 901:12-3 and 901:12-4 were filed on February 8, 2011. The department held a public hearing on the rules on March 17, 2011. The JCARR committee then held a public hearing on the rules on March 28, 2011. Final filing of the rules will likely occur on April 18, 2011, with an expected effective date of April 28, 2011.

Mike Bailey then advised the Board that the several comments have been received regarding the treatment of horses at the Sugar Creek Horse Auction. Bill Hopper was asked to clarify the department's legal authority, as the auction is licensed to conduct business under Ohio Revised Code 943. An investigation was conducted by ODA and no violations of ORC 943 were found. It was further clarified that local authorities retain primary jurisdiction regarding cruelty allegations, and ODA will continue to respect the jurisdiction of local authorities.

Next, the board discussed the e-notification comments that have been received on the proposed veal standards (901:12-5) during the comment period.

By a vote of 11-0, the board approved re-considering the change made to the veal housing provisions of section 901:12-5-03 (C) at the last meeting.

A motion was then made to insert the following language into 901:12-5-03 (C)(3): "and an individual pen must permit a calf's movement as described in paragraph (C)(1) of this rule and in addition the calf must be able to turn around." Following discussion, the board approved the motion by a vote of 11-0.



Next, a motion was made to replace the date “December 31, 2017” with “June 30, 2020” in sections 901:12-5-03 (C)(2), 901:12-5-03 (C)(3) and 901:12-5-03 (C)(4). The motion failed by a vote of 2-9.

Following the board’s review of the proposed veal standards, Dr. Glauer next led a review of recommended changes to 901:12-6 (Bovine-Dairy), 901:12-7 (Bovine-Beef), 901:12-12 (Ovine-Sheep) and 901:12-13 (Ovine-Goats), as a result of the e-comments received during the respective comment periods for these sections.

Upon completion of the board’s review of these sections, the next agenda item was the board’s review of the draft alpaca and llama standards (901:12-14). In the review, board discussion focused on the definition of “functional condition” in 901:12-14-03 (B)(2), and on the socialization requirements of 901:12-14-03 (C)(2). The chair of the Alpaca & Llama Subcommittee, Mr. Brandon Forshey, took part in the board’s discussions.

After review of 901:12-14, the board next reviewed the draft equine standards of section 901:12-15. The chair of the Equine Subcommittee, Dr. Ryan Zimmerman, took part in the board’s discussions. During this review, significant board discussion focused on the potential conflict of the recommended tail-docking provisions of 901:12-15-03 (A)(2) with section 959.14 of the Ohio Revised Code.

The board recessed for a break at 2:15 p.m.

Chairman Zehringer called the board back to order at 2:30 p.m., at which time the board held its public comment period.

Ms. Sue McKey of Portage County thanked the board for its vote of returning the original veal language.

Ms. Gail Eisnitz, Chief Investigator with the Humane Farming Association, stated that there are 27 million poultry in cages that are too small and that the industry uses loopholes to continue with this inhumane practice. She stated that the housing provisions of the proposed layer standards regarding cages and the provisions of the swine standards regarding gestation and breeding crates are a violation of the agreement.

Mr. Rich Deaton thanked the Board for all their hard work toward making standards that ensure safe and affordable food.

Mr. Bob Cochrell, a member of the Veal Subcommittee, asked the board to identify what makes intact bull calves so unique that they should be housed in group pens.

Mr. Charles Wildman, a member of the Swine Subcommittee from South Charleston, thanked the board for their hard work. He believed that many voices had been heard and that the Board has provided a voice to the voiceless.



Dr. Linda Lord, President of the Ohio Veterinary Medical Association (OVMA), stated that OVMA has attended every meeting, and has provided scientific information to the board. She stated that the organization takes exception to the comments made by a member of the board.

Mr. Jack Advent, Executive Director of the Ohio Veterinary Medical Association, stated that a person's word is their bond and he always provides or tries to provide information in a truthful informative manner.

Ms. Si Shriver, coordinator of the Animal Rights Coalition, stated that her organization's boycott of Burger King due to their offering veal sandwiches resulted in the chain no longer offering veal on the menu. She stated that the Board needed to ensure care for animals and that the safety of Ohio's food is entrusted to them.

Mr. Gaylord Barkman, chair of the Veal Subcommittee, thanked the Board for their hard work and acknowledged their difficult task of listening to all and incorporating everyone's concerns and comments into the Board decisions.

Mr. Sirius Born thanked the board for re-considering the veal language, and commented that bovine are herd animals and as such are best kept in group housing.

Ms. Corey Roscoe, Ohio Campaign Coordinator for Mercy For Animals, thanked the Board for changing their vote and doing what was right by the veal calves.

Mr. David Troyer, a farmer from Sugarcreek, stated that he has been a farmer all his life, and that he and his family take great care of their livestock. He stated that while he has no current intention of leaving Ohio or farming, too many regulations may well force his sons to eventually move out of state.

Mr. Kevin O'Connor thanked the Board for their hard work.

Mr. Shane Lampman of New Albany addressed the suffering of animals. He stated that animals are stuck in the moment, and that they are sensitive and often times unable to get out of their suffering.

Mr. Rich Sheer thanked the Board and stated that he knows there are many responsible farmers in Ohio. He further stated that he hoped the Board would remain within the HSUS agreement.

Mr. Arathi Jayaram thanked the Board for helping veal calves.

Ms. Kelly Blank thanked the Board for their vote.

Ms. Veronica Dickey of Stark County stated that she has a degree in agriculture and is not anti-agriculture. She stated that she is against bad practices and practitioners, and was glad that the Board reinstated the veal language and that the vote passed.

Ms. Kara Pilot of Cuyahoga County thanked the Board for their vote.



Ms. Karen Minton, of the Humane Society of the United States, thanked the Board for their hard work and today's vote.

No other public comment was provided.

Following the conclusion of the public comment period at 2:53 p.m., the board continued its review of the proposed equine standards, and the discussion of tail-docking. In section 901:12-15-03 (A)(2), the words "when it is a medical necessity or when it is vital to ensuring the horse's safety in a work environment" were deleted, and the words "in accordance with section 959.14 of the Ohio Revised Code" were added. No other changes were made to the draft equine standards.

By a vote of 11-0, the board approved moving sections 901:12-14 (Alpacas & Llamas) and 901:12-15 (Equine) forward to the e-notification process to solicit public comment.

During member's minute, Dr. Leon Weaver asked that as an agenda item for the next meeting the members consider and then recommend utilizing the research offer that is in the agreement, and to look at the potential impact that may occur on the veal industry by 2015 as a result of the rules being implemented. Dr. Weaver also expressed appreciation to all who attend the meetings, and that by attending, everyone learns from the various viewpoints.

Dominic Marchese thanked Dr. Glauer for coming out of retirement, for all the work and hours he has put in getting the rules to this point.

Harold Dates thanked Bill Hopper and Mike Bailey for their work.

Dr. Jerry Lahmers stated that the board has created something that is good, and there will be conflicts and challenges as it goes along. He stated that the board needs to get behind the research and remember that sound bites are not always what the public really wants.

Robert Cole thanked all on the board for their work, and stated that he has compassion and sympathy for the producers who have to live with these standards. He stated that this board is democracy in action, and he knows that the board has always tried to do the right thing.

Jeff Wuebker thanked ODA and Dr. Glauer for their work, and reminded the board members they were not done as yet. He also raised the question of how the rules would be communicated to the producers and public.

Dr. Bobby Moser stated that everyone comes with different thoughts and opinions, and that everyone wants balance in coming up with the standards, which the board has accomplished.

Dr. Forshey stated that this process is not over, and this is just the beginning, as what the board has created is a living document.



Mike Bailey updated the board that the next scheduled meeting will occur on April 19, 2011, where the board could potentially vote to file all of the species specific standards with JCARR.

Mike also stated that Andy Ware and Erica Pitchford of the ODA communication office were taking the lead on developing a communications plan.

The board meeting adjourned at 3:17 p.m.

