

NATIONAL GROUPS SUPPORT FAMILY FARMERS' APPEAL AGAINST FACTORY FARM

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A coalition of the nation's leading public health and environmental groups, in an unprecedented action, joined a lifelong family farmer's legal efforts to address the negative impacts associated with factory farms.

Professionals at the Center for a Livable Future at Johns Hopkins University, the Humane Society of the United States, Animal Legal Defense Fund, Minnesota Center for Environmental Advocacy ("MCEA"), Environment Minnesota, and Food & Water Watch on July 25 filed formal requests in the Minnesota Court of Appeals to participate in an appeal filed by Lowell and Evelyn Trom of rural Dodge County, Minnesota against a large corporate factory farm and Dodge County, Minnesota. The Troms sued Dodge County and a large corporate factory farm operator, Masching Swine Farms, LLC, following approval of the 11th swine factory farm, or feedlot, within a 3-mile radius of their home.

Given the public nature of the Trom's lawsuit, these groups, representing millions of members throughout the United States, filed requests for amicus with the Minnesota Court of Appeals, where the Troms' case is currently being reviewed. A request for amicus (or friend of the court) is filed by individuals or organizations who, while not a party to a lawsuit, have a strong public interest in or knowledge in the subject matter. The intent is to provide the Court with information regarding the effects of a decision beyond the parties involved in the case. The Court of Appeals must approve the requests.

According to the request filed by Johns Hopkins University professionals, they will assert a public interest. "The Dodge County Ordinances at issue in this case required compliance with U.S. and state environmental laws, and the permit at issue in this appeal has broad implications for Dodge County, other counties in Minnesota and rural areas across the U.S." The Center for a Livable Future at Johns Hopkins will "provide interpretation of relevant scientific evidence regarding the public health and community impacts of industrial-scale swine production, " including the spread of infectious diseases to communities; groundwater and surface water pollution, and associated health impacts on communities; and air pollution, odors, and associated health and social impacts on communities.

In a joint request filed by the Humane Society of the United States and Animal Legal Defense Fund, these groups will specifically discuss "the burgeoning threat of antibiotic-resistant bacteria to animal welfare and public health, exacerbated by antibiotic overuse and confinement conditions at concentrated animal feeding operations."

In a third request filed by MCEA, Environment Minnesota and Food & Water Watch, these public interest groups are dedicated to protecting the environment and public health. These organizations "have particular expertise and experience in animal feedlot regulation that is distinct from the experience of any other party in this appeal." MCEA has participated in administrative rulemaking proceedings concerning the regulation of pollutants discharged to surface and ground water from Concentrated Animal Feeding Operations ("CAFOs"). MCEA has a distinct interest in ensuring that local

regulations preserve and respect procedural rights in order to protect the natural resources of this state. Environment Minnesota, with its commitment to protect our rivers, lakes streams and water resources, is “deeply concerned by the water pollution impacts of industrial livestock operations.” Food & Water Watch (“FWW”), which champions healthy food and clean water, advocates for safe, wholesome food produced in a humane and sustainable manner. FWW is also concerned about the cumulative harmful impacts of the many feedlots already in the immediate vicinity including by contaminating surface waters with nitrogen, phosphorus, bacteria and pharmaceuticals.

Appellant Lowell Trom stated that “We have known for a long time that our lawsuit is not just about our family. If our family loses, we all lose.”

For further information, please contact James P. Peters, Esq., at [\(320\) 634-3778](tel:3206343778) or via email at jim@peterslawfirm.us.

Copies of the requests for leave to file amicus briefs are posted online at the website for Dodge County Concerned Citizens. www.dodgecc.org.

Descriptions of the groups:

The Johns Hopkins Center for a Livable Future (“CLF”), with its global expertise, works with students, educators, researchers, policymakers, advocacy organizations and communities to build a healthier, more equitable and resilient food system. CLF’s work is driven by the concept that public health, diet, food production and the environment are deeply interrelated and that understanding these relationships is crucial in pursuing a livable future. Factory farming (or industrial food animal production) is an area of high-priority. www.jhsph.edu. This is the largest school of public health in the world. Ranked #1 by U.S. News and World Report since 1994. First institution of its kind worldwide.

The Humane Society of the United States is the nation’s largest and most effective animal protection organization. On behalf of its several million members and constituents, The Humane Society is the leading animal advocacy organization in the U.S. and is driving transformational change around the world by combating large-scale animal cruelties such as factory farming. www.humanesociety.org.

The Animal Legal Defense Fund’s (“ALDF”) mission is to protect the lives and advance the interests of animals through the legal system. ALDF’s groundbreaking efforts are instrumental in pushing for change in the U.S. legal system to end the suffering and unnecessary killing of animals. ALDF is active in public advocacy and education regarding animal suffering and environmental degradation caused by concentrated animal feeding operations (“CAFOs”). www.aldf.org.

Minnesota Center for Environmental Advocacy (“MCEA”) uses law, science and research to protect Minnesota’s environment, its natural resources and the health of its people. MCEA is the leading legal voice protecting Minnesota’s environment, with deep organizational expertise that includes some of the foremost environmental law and policy professionals in the state. www.mncenter.org.

Environment Minnesota is the state affiliate of Environment America, which is dedicated to protecting our air, water and open spaces. Environment Minnesota believes there is something special about Minnesota – something special about protecting and preserving for future generations. www.environmentminnesota.org.

Food and Water Watch champions healthy food and clean water for all. They stand up to corporations that put profits before people, and advocate for a democracy that improves people's lives and protects our environment. www.foodandwaterwatch.org.