



A Giant Step Backwards for Animal Welfare

– How the ELD Mandate and Hours of Service Impacts Agriculture

The livestock hauling and other live cargo industries are asking the Federal Motor Carrier Safety Administration (FMCSA) to provide the industry with a longer-term extension to comply with the ELD Mandate than the initial 90-day extension that has been granted. They have asked for this longer extension because it is clear that both the ELD Mandate and the Hours of Service are not appropriate for the care and transportation of livestock. They believe, and we agree, that following the Hours of Service to the letter as is required with an ELD will be a giant step backwards for animal welfare and agriculture.

Hauling livestock – A job for a specialist

There are approximately 250,000 stockmen that haul all forms of livestock in the United States. Livestock haulers have two primary responsibilities. They must master the skills to drive a truck safely with a live load on our highways and they are responsible for animal husbandry; the health and wellbeing of the animals they are transporting. Livestock haulers are more than just drivers, they are stockmen as well. Their job is to transport animals from one place to another with the least amount of stress to the animals as possible.



Why cattle are hauled long distances

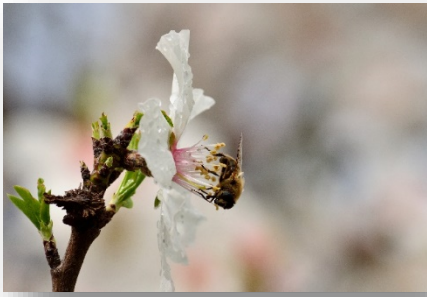
The Western United States is an area where there are Cow-calf operations. Cattle spend most of their lives out on pasture, primarily in areas that are not suitable for growing crops and are then shipped to finishing yards for several months. There they are fed and closely monitored as they finish growing to production weight.

The grazing areas, where the cattle are born and raised, and thrive are often 1000 miles or more away from most of the finishing yards. The reason for this is two-fold; the best land for growing crops is reserved for that purpose, and cattle thrive in areas where growing crops is not as productive. The area of highest crop production for cattle feed during the finishing stage is in the Midwest. So, cattle are born and raised in grazing areas that are not as productive for growing crops and then sent to crop-growing areas where finishing yards have been established. Most processing plants are located close to the finishing yards as well.



Cattle are not the only animals shipped

A variety of animals are shipped every day in the United States, these range from livestock animals commonly known to most people like cattle, pigs, and poultry, to bees. However, there are other animal industries that will also be impacted by the ELD mandate for example, fish (aquaculture), horses, pets, wildlife and even the transportation of bees. Handling each species properly has its own set of problems related to the ELD Mandate.



Bees – The unsung heroes of crop production

Bees are the unsung heroes of crop production. Billions and billions of bees are shipped all throughout the country each year. They play a vital role in crop production and help the farmer to maximize land and water use. Concentrated pollination, called saturation pollination by the industry, improves harvest yields by ensuring that the maximum number of fruit, vegetable and nut producing plants are pollinated during the critical bloom time. The list of vital crops that rely on the timing of bee pollination is long. Here are some examples of crops that are dependent on the delivery of bees during bloom; nuts, tomatoes, pomegranates, avocados, citrus trees, cucumbers, pumpkins, melons, blueberries, strawberries, and canola. Essentially, any plant that has a flower needs to be pollinated.

There are simply not enough local bee colonies to support the agricultural demands of a hungry nation. This is why bees are shipped across the country from as far away as Bakersfield, California to Maine.

How the ELD Mandate will devastate bees and crop production

There is an art to hauling bees. Approximately 400-500 bee hives are loaded onto step-deck flatbed trailers and then covered with specialized netting. The bees are typically loaded and unloaded at night or in the early morning hours. Bees are hugely susceptible to high temperatures and will die in the heat. To avoid this, when temperatures are warm or high, drivers cannot stop during the day as the air moving over the netting both keeps the bees cool and contained in their hives. Drivers can only stop during daylight hours if the temperature dips below 50 degrees and there are cloudy conditions. Drivers can't stop during warm conditions or the bees will leave their hives. Even though the netting is specialized and secured, a certain number of bees escape which is a loss to the bee producer and can be a hazard and danger to the public.

The rules outlined in the Hours of Service and tracked to the letter under the ELD mandate do not allow bee haulers the flexibility they need in order to deliver the bees safely and without major losses. Asking bee haulers to comply with the ELD mandate will cause many to not be able to do their jobs properly, thus devastating crop production. There are simply not enough wild bees to help feed us. Without enough bees, food crops are not produced.

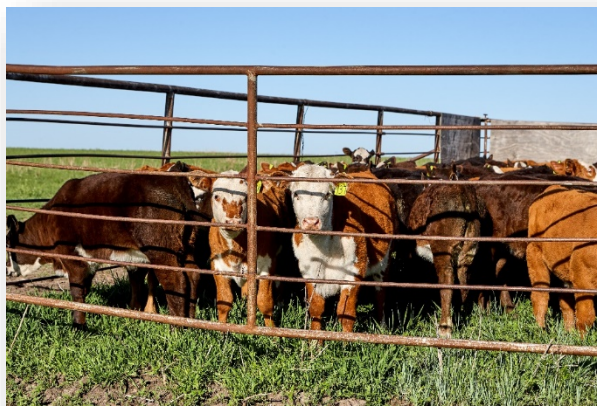


Animal welfare - education and technology

Not only is focusing on the welfare of animals the right thing to do, it has an impact on business, improving both efficiency and product. Bottom line, animals that are treated well and cared for, produce a better product. Focusing on animal welfare is good for all concerned; the animals, the producers and the consumer.

Animal Behaviorist and Professor, Temple Grandin of Colorado State has been a pioneer in advancing changes that have improved how livestock are cared for and handled, especially during transport and processing. In addition to Ms. Grandin's work, researchers at agricultural universities have evaluated a variety of factors when seeking to improve both animal welfare and food safety. One such focus over the years has been evaluating and controlling cortisol levels which rise when animals are under stress. The rise in cortisol levels has an impact on animal behavior while they are in transit and at producer facilities as well as the quality of the food products they provide.

In response, the livestock industry has made significant changes over the years. Processing plants have adjusted to reduce stress to the animals by changing their corrals, lead ups and chutes as well as other equipment. Advances have also been made in how the animals are handled to keep them calm and to reduce stress. Livestock trucking has evolved as well with trailers equipped with venting for air flow and air-ride suspension to keep the animals comfortable and to reduce stress while they travel.



ELD - A setback for animal welfare

Simply put, the Hours of Service and the ELD Mandate will compel livestock haulers to make changes that are not good for the animals in their care, nor is it good for the safety of our food. The Hours of Service as they stand and the subsequent ELD Mandate do not make allowances for the needs of animals in transport.

Unloading Animals During the 10-Hour Driver Rest Period

The trailers that move livestock have been designed with the animals' well-being in mind. They have a special suspension system as well as venting that allows for air flow. Air flow is especially important on hot days to keep the animals in the trailer cool and comfortable. Animals are not inanimate cargo that can sit in a trailer for an extended period. Animals are transported every day, all thorough the year. If a trailer is stopped during hot days on the side of the road or at a rest area, there are no good outcomes if the animals have to stay on the trailer during that time.

Lack of Infrastructure

Following the 10-hour rest period to the letter would require that animals are unloaded at a facility because they cannot stay in the trailer during that time. Facilities that can handle the unloading, lay over care, and reloading of livestock onto trucks are few and far between. There simply are not enough facilities on major transportation routes to handle the numbers of livestock that are transported across the country every day.

Loading and Unloading Stress on the Animals

Even if there were plenty of suitable facilities to off-load and lay over animals, no matter how carefully stockmen and women handle their livestock, there is a certain level of stress that can occur when groups of animals are moved. Frequent loading, unloading and re-loading again puts both the animals and stockmen at risk of injury.

The Hours of Service as written and if followed to the letter via the electronic logging device (ELD), do not allow for the livestock hauler to make decisions about what's best for the animals in their care. Instead, it creates the requirement for livestock haulers to unload and then reload animals in order to comply with rules set forth by a committee of people in Washington D.C., who do not have any experience with trucking, livestock, nor experience with the proper care of animals during transportation.

ELD – A setback for food safety

Our livestock transportation system today allows for the direct tracking of animals from point A to point B. As the system works now, if a disease outbreak occurs, officials can quickly isolate the group of animals infected and sick animals can be traced back to their source.

Following the 10 Hour Rest period to the letter as would be required with an ELD, could create a bio-security risk. Even if there were layover facilities available, with the thousands of animals that are transported daily, it would be almost impossible to fully sterilize facilities in-between each load. It would also create additional steps for officials or businesses if they need to track disease outbreaks back to their source, which is paramount in stopping the spread of disease. This is a concern because there are diseases that can be spread between species. In addition to that, there are diseases that can be transferred from animals to humans (zoonotic diseases). We simply do not want the possibility cross-contamination.



The ELD has no provision for livestock transportation

Unfortunately, the hours of service and ELD Mandate were not written with consideration for all of the different sectors of commercial transportation. In the case of the livestock and live cargo carrier situation, they simply do not fit.

Other forms of transportation are not a solution

When the challenges of livestock transportation are discussed, some have made the suggestion that livestock be transported by rail instead of truck since the Hours of Service and ELD compliance were not practical. This is actually a dangerous proposition for livestock and it is the reason transport has moved primarily to trucking. Livestock need to be monitored and cared for during transportation. This is not feasible during rail travel, nor is it feasible to stop a train easily if there is the need to do that. History has proven that it is not humane to transport animals without a caretaker to look after them. Because of incidents with cattle, the industry stopped hauling them by rail cars many years ago.



Team drivers are not an easy solution

Have you noticed that just about every truck you see on the road today that is not an owner-operator has a sign on the back that says, “We’re hiring”. There is a reason for this. Already our nation is facing a critical driver shortage. Transportation companies have trucks in their yards they can’t put into service because they don’t have drivers for them. Add to that the fact that livestock hauling is a job for a specialist. There is no 90-day school that can teach animal husbandry. They need to understand the animals they care for, their needs, behaviors and requirements. They also need to be a skilled, experienced driver that can handle live loads. If the standard logistics sector cannot find enough drivers, where are these specialists going to come from if we need to go from 250,000 livestock haulers to 500,000?

Its not a safety issue

Contrary to claims otherwise, safety is not improved with the Hours of Service and electronic logging devices. Unfortunately, that's what the public and lawmakers have been led to believe. In reality, reports from insurance carriers that cover the transportation industry show the facts of the matter. Insurers that cover trucking companies report that livestock carriers have 44% fewer claims than other trucking sectors. Additionally, in a recent report, of the 1,123 accidents that occurred last year only 5 (0.4% - less than 1%) involved livestock carriers. Please note, these are incidents involving trucks, not incidents where truck drivers were at fault.

In summary

Animal welfare has come a long way with improvements in technology and husbandry. Livestock haulers do not need a computer to tell them how to take care of the animals in their charge. Nor do the animals need a computer determining their fate.

As a nation, we simply do not want to compromise those advances in the aim of following arbitrary rules set forth by a committee that does not understand the far-reaching consequences. We do not want to take a step backward. There is no "one size fits all".



List of concerned groups

It is important to know about all the groups that will be negatively impacted by the ELD Mandate and Hours of Service to understand the magnitude of the issue. Here's a partial list of the parties that have serious concerns and have alerted their members, and/or asked for extensions or exemptions:

Alabama Cattlemen's Association	Mississippi Cattlemen's Association
American Beekeeping Federation	Montana Stock Grower's Association
American Farm Bureau Federation	National Aquaculture Association
American Foods Group	National Cattlemen's Beef Association
American Honey Producers Association	National Cutting Horse Association
American Horse Council	National Paint Horse Association
American Quarter Horse Association	National Pork Producers Council
American Sheep Industry	National Reined Cow Horse Association
Arizona Cattle Feeders Association	National Reining Horse Association
Arizona Cattle Grower's Association	Nebraska Cattlemen's Association
Calico Beef Consulting	Nevada Cattlemen's Association
California Cattlemen's Association	New Mexico Cattle Grower's Association
Colorado Cattlemen's Association	New Mexico Wool Growers, Inc.
Colorado Livestock Association	North American Meat Institute
Cooper Horse Transportation	North Carolina Cattlemen's Association
Florida Cattlemen's Association	North Dakota Stockmen's Association
Georgia Cattlemen's Association	Ohio Cattlemen's Association
Iowa Cattlemen's Association	Pennsylvania Cattlemen's Association
Kansas Livestock Association	South Dakota Cattlemen's Association
Kentucky Cattlemen's Association	Southwest Meat Association
Livestock Marketing Association	Tennessee Cattleman's Association
Minnesota Honey Producers Association	Texas and Southwestern Cattle Raisers Association
Minnesota State Cattlemen's Association	U.S. Cattlemen's Association
	Utah Cattlemen's Association
	Virginia Cattlemen's Association
	Wisconsin Cattlemen's Association
	Wyoming Stock Growers Association
	Zoological Association of America



List of Concerned Lawmakers and Public Officials

Indiana Attorney General

Curtis Hill, Indiana Attorney General is the only Attorney General thus far that has recognized the problems with this new mandate and has addressed it by writing a letter to the Federal Motor Carrier Administration.

US Senate

Here's a list of United States Senators that have signed a request letter to the Honorable Mitch McConnell, Majority Leader and Charles Schumer, Democratic Leader regarding the ELD Mandate and Hours of Service:

Barrasso, John	Enzi, Mike	Hoeven, John	Lee, Mike	Roberts, Pat
Cassidy, Bill	Gardner, Cory	Heller, Dean	Manchin, Joe	Rubio, Marco
Crapo, Mike	Grassley, Chuck	Inhofe, James	Moran, Jerry	Tester, Jon
Ernst, Joni	Heitkamp, Heidi	Lankford, James	Risch, James	Tillis, Tom

US Congress

Texas Congressman, Brian Babin introduced HR3282, August 18, 2017, that asked for a 4-year extension to the ELD Mandate. Unfortunately, it was defeated. However, there are a large number of United States Congressmen and Congresswomen who understand the implications of the ELD Mandate and co-sponsored the bill. Here's a list of their names:

Abraham, Ralph Lee [R-LA-5]	Griffith, H. Morgan [R-VA-9]	Norman, Ralph [R-SC-5]
Allen, Rick W. [R-GA-12]	Grothman, Glenn [R-WI-6]	Olson, Pete [R-TX-22]
Banks, Jim [R-IN-3]	Hartzler, Vicky [R-MO-4]	Pearce, Stevan [R-NM-2]
Bost, Mike [R-IL-12]	Herrera Beutler, Jaime [R-WA-3]	Peterson, Collin C. [D-MN-7]
Brady, Kevin [R-TX-8]	Higgins, Clay [R-LA-3]	Posey, Bill [R-FL-8]
Brooks, Susan W. [R-IN-5]	Huizenga, Bill [R-MI-2]	Rokita, Todd [R-IN-4]
Chabot, Steve [R-OH-1]	Hurd, Will [R-TX-23]	Scott, Austin [R-GA-8]
Cheney, Liz [R-WY-At Large]	Jenkins, Lynn [R-KS-2]	Sensenbrenner, F. James, Jr. [R-WI-5]
Coffman, Mike [R-CO-6]	Johnson, Bill [R-OH-6]	Sessions, Pete [R-TX-32]
Comer, James [R-KY-1]	Johnson, Mike [R-LA-4]	Shimkus, John [R-IL-15]
Conaway, K. Michael [R-TX-11]	Kelly, Mike [R-PA-3]	Smith, Jason [R-MO-8]
Cramer, Kevin [R-ND-At Large]	King, Steve [R-IA-4]	Smucker, Lloyd [R-PA-16]
Culberson, John Abney [R-TX-7]	Knight, Stephen [R-CA-25]	Stivers, Steve [R-OH-15]
Curtis, John R. [R-UT-3]	Labrador, Raul R. [R-ID-1]	Thompson, Glenn [R-PA-5]
Faso, John J. [R-NY-19]	LaHood, Darin [R-IL-18]	Thornberry, Mac [R-TX-13]
Franks, Trent [R-AZ-8]	LaMalfa, Doug [R-CA-1]	Tiberi, Patrick J. [R-OH-12]
Garrett, Thomas A., Jr. [R-VA-5]	Lucas, Frank D. [R-OK-3]	Tipton, Scott R. [R-CO-3]
Gianforte, Greg [R-MT-At Large]	Luetkemeyer, Blaine [R-MO-3]	Valadao, David G. [R-CA-21]
Gohmert, Louie [R-TX-1]	Marchant, Kenny [R-TX-24]	Walorski, Jackie [R-IN-2]
Gosar, Paul A. [R-AZ-4]	Marino, Tom [R-PA-10]	Weber, Randy K., Sr. [R-TX-14]
Graves, Tom [R-GA-14]	Marshall, Roger W. [R-KS-1]	Wenstrup, Brad R. [R-OH-2]
	Massie, Thomas [R-KY-4]	Yoder, Kevin [R-KS-3]
	Noem, Kristi L. [R-SD-At Large]	Young, David [R-IA-3]

