



O.U.E. Update

A Publication of Organizations United for the Environment

ANIMAL FACTORIES AND DEMOCRACY

Part One:

The Citizens and Science Take a Beating in White Deer

An earlier version of the following article appeared in the April issue of The Williamsport Guardian, a regional newspaper that often has coverage of environmental news. Check them out at: www.williamsportguardian.com.

In recent issues, we have reported on resistance to a chicken factory in White Deer Township that will be built in an area surrounded by 120 homes. Unfortunately, in April a judge in Union County approved a decision by that township's supervisors to permit construction of the factory. It will be owned by a "farmer" who will raise 90,000 chickens each year for Empire Kosher, a nationwide company headquartered in Mifflintown.

Parts of this story merit retelling because they demonstrate with a stark simplicity how current land use regulations in Pennsylvania are eroding civil liberties. It also exemplifies how the current regulatory framework allows township supervisors to keep scientific evidence from entering into their, or the courts', rulings about permits for animal factories.

For several years, state politicians, urged forward by giant meat and feed companies, have rewritten relevant state laws to encourage the growth of animal factories. These laws have narrowed the range of possible ways township supervisors can deal with land use issues and, not unintentionally, badly intimidated many supervisors. What happened in White Deer is a dismal outcome of this process.*

Resistance to the White Deer chicken factory started one Thursday in October, 2004 when people living there discovered that the following Monday their zoning board would consider a permit for an animal factory in their midst planned to house tens of thousands of chickens. Spurred into action, they sought advice from OUE. The Board first gave them a packet of scientific documents about the serious threats posed to people living close to animal factories, confirming their worst fears. Next, the group discovered that all the laws and politicians were against them.

At the local level, White Deer supervisors were charged by

their township's zoning ordinance, under "General Purposes," to "promote, protect, and facilitate the public health, safety, morals and the general welfare" of the township. Using this language as a guide to their actions, opponents presented the supervisors hundreds of pages of evidence from scientific and medical experts showing that animal factories threaten the health, safety, economic well-being, and certainly the "general welfare," of people living next to them.

The supervisors and their solicitor chose, however, to ignore entirely this expert evidence by basing their decision on narrow technical grounds. They ruled that the three barns that will actually constitute the chicken factory are merely "accessory" to an old barn and two sheds that had been on the property but that will not, in fact, be central to raising the chickens. This ruling allowed the supervisors to avoid treating the permit as a "land development" issue. Had they done that, they would have had to take into account the thick stack of scientific documents presented to them critical of animal factories.

At the top of this thick stack was a copy of the 2003 call for a national moratorium on the construction of animal factories by the 50,000 members of the American Public Health Association. The APHA issued this call because its extensive research convinced its members that these factories pose serious health and safety threats to neighbors and those who work inside them.

The grim result of this process is that White Deer Township is yet another Pennsylvania community where the cautionary advice of 50,000 health professionals *can have no bearing* on permit hearings for animal factories. This means that, aside from its assault on civil rights, the permitting of the White Deer animal factory is also an assault on the use of scientific information in deciding crucial public issues.

We do not know why the supervisors chose to ignore the clear charge in their zoning ordinance to protect the general welfare of the people in the township. We don't even know if they took the time to read the scientific evidence against animal factories. If they did read that material, it is hard to understand how they could have allowed the permit for an animal factory surrounded by 120 homes.

Is this battle over and lost forever? Not necessarily. Op-

ponents in White Deer could decide to monitor closely the effects of this factory's operations on the air and water, local transportation, and the way it disposes of the manure from the chickens and the thousands of dead chickens that are also victims of this kind of "farming." In doing this, they would be looking for a violation of the permit and a way again to challenge it.

Whatever route the opponents take now, the OUE Board greatly admires the fight they waged, and we are proud, indeed, that they are part of our organization. ♦

**For excellent background on this issue, see Adam Sacks, "Rights Fight: Local Democracy vs. Factory Farms in Pennsylvania." A link to this article and related information, plus tactics for fighting back against animal factories, is available at www.celdf.org. This is the website of the Community Environmental Legal Defense Fund, discussed in the next article.*

Part Two: Democracy as a Way to Stop the Spread of Animal Factories

Our decision to join the fight in White Deer continues a pattern of activities that takes most of our time and that we recognize is, at best, piecemeal. For the past decade we have gone from one brush fire to another knowing only that another one will break out before the last one has died down. In recent years we have worked with several communities fighting a permit for corporate polluters, especially animal factories, and in most of these cases our allies prevailed. We believe that in all of these battles we played an essential role. Yet, we know that there are now more animal factories in our area than there were when we started resisting them.

When can grassroots groups like ours expect an end to this essentially reactive participation in environmental politics? Probably never, unless enough of us join together and become a movement to make the framework of environmental and energy laws friendlier to regular citizens. This will amount to the daunting task of wresting the power from huge corporations to shape such laws to profit themselves alone.

Fortunately, the seed for such a movement has been planted and is growing right here in Pennsylvania. For that fact we can thank attorney Tom Linzey. In 1994, soon after leaving law school, Linzey ran as an Independent candidate for governor of Pennsylvania to bring attention to problems in the state's wild lands and rural communities. He wasn't elected but became an environmental lawyer who represented municipalities in struggles with road builders, toxic waste dumps, and animal factories. He eventually discovered that even when a municipality would win one of its battles the next one was already on the way. The problem was that their zoning ordinances did not protect them from corporate encroachment. So, Linzey set up the "Community Environmental Legal Defense Fund" with the central purpose of helping communities to develop laws that would allow

them better to resist corporate pressure.

The CELDF web site, better than we can, describes its mission and how it works to achieve it:

CELDf was formed to provide free and affordable legal services to community-based groups and local governments working to protect their quality of life and the natural environment through building sustainable communities. Increasingly, that means teaming up with people and their municipal representatives to mount campaigns that challenge the legal clout of corporations to overrule decisions made by citizens for their communities.

Key to the way that CELDF carries out its mission is it Daniel Pennock Democracy School. The School holds several three day sessions each year in Chambersburg and recently has been taking its lessons to one day meetings around the state. CELDF teaches a new organizing strategy for communities, by first uncovering the hidden history of the usurpation of people's decision-making authority. If we are going to make a difference, we're going to have to think and act differently! The Democracy School is now offered in locations across the country.

Building on the lessons learned at Democracy School, the Legal Defense Fund has assisted many communities to draft and adopt local laws that do more than "regulate" the amount of harm that is permitted by state and federal regulatory agencies. Some of those laws can be viewed in our Ordinance Library.

For some communities, safeguarding their future means creating local constitutions, or home rule charters, that enumerate rights of local citizens, and of ecosystems — and backing up those rights with enforceable law. Our Home Rule program area is tailored to offer assistance to communities that are ready to take this bold step in local self-governance.

To this date, CELDF has helped over forty Pennsylvania townships to write and pass ordinances that restore elements of control over their economic and environmental affairs, and Tom Linzey is taking his message across the country to a rapidly increasing audience. In his talks, he stresses to people the need to change their zoning laws *before* a polluter shows on the horizon. Townships with ordinances written to protect its citizens, rather than to nurture corporations, are probably the best possible way to keep the polluters away. Here is the relevant contact information: CELDF, 675 Mower Road Chambersburg, PA 17201; info@celdf.org; (717)709-0457; <http://www.celdf.org/>

In OUE, our first priority remains being available to people who come to a board meeting worried about a major polluter moving in next door. We wrote the OUE "Manual for Organizers," discussed in a later article, specifically for such people. At the same time, we heartily recommend CELDF and several of our members have attended the Democracy School. Above all, we agree with its conclusion that democracy, with every one of us as direct participants, provides the only genuine solution to corporate marauding. ♦

*"If you think you are too small to be effective,
you have never been in bed with a mosquito."*

~Betty Reese

The Connection between Animal Factories and Avian Flu

The following is a shortened version of an article from the March 30th issue of The Guardian, a British newspaper that regularly runs articles on global environmental issues. It was brought to our attention by Karl Patten of Lewisburg, a long time OUE supporter.

As dead swans are found with H5N1 and Europe locks up its poultry, a consensus is emerging among scientists, ecologists and human health experts that this strain of avian flu, as well such diseases as monkeypox, HIV/Aids, West Nile virus, Ebola, SARS, BSE and Lyme disease, are emerging and cross more easily to humans because of environmental changes and the intensification of farming. Diseases are then spread rapidly around the world with the globalization of trade and aviation.

Diseases have spread from wildlife to humans throughout history, but, according to Danielle Nierenberg, of US Worldwatch Institute, "In the last 40 years the world has gone through a livestock revolution, not unlike what happened to crops with the green revolution." Since 1961 worldwide livestock has increased by 38% to 4.3 billion today. The poultry population has quadrupled in that time, to 17.8 billion, and the number of pigs has roughly trebled to 2 billion. As the numbers of animals bred for food have grown vastly in a short period, mankind's relationship with them has changed.

"Raising animals has morphed into an industrial endeavor that bears little relation to landscape or natural tendencies of the animals. Wherever industrial farming is introduced, it creates ecological and public health disasters," Nierenberg says. Others argue that intensive confinement of animals promotes emerging viruses and the development of antibiotic-resistant strains of bacteria, and can transform animals into disease "factories." According to Hans-Gerhard Wagner, of the UN Food and Agriculture organization, the "intensive industrial farming of livestock is now an opportunity for emerging diseases."

Caroline Lucas, a Green member of the European Parliament, says intensive farming plays a big role in the spread of disease. "There is a reduction in the diversity of breeds in order to have the fastest growth, and animals are becoming more susceptible to diseases because of the way they are bred and kept. The search for profits leads to animals and then humans becoming more vulnerable. Our current policies encourage farming that overlooks basic husbandry."*

An ecologist, Vandana Shiva, says: "Food hazards have increased with industrialization of food production and processing. On a global scale, new diseases are emerging and more virulent forms of old diseases are growing as globalization spreads factory farming and industrial processing and agriculture. Disease epidemics and foods hazards are the outcome of food production methods based on hazardous inputs and processes." [This is especially true regarding poultry because] there

has always been a close link between people and poultry."

According to Peter Daszak, director of the consortium for Conservation Medicine, once an emerging disease such as avian flu breaks out, globalization in the form of greatly increased world trade and the growth of the aviation industry can spread it fast. "We are certain to see more and more of these diseases emerging, with very high impacts on health and the economy."

Keeping forests and other ecosystems intact could be the best protection mankind has against new diseases. "Biodiversity not only stores the promise of new medical treatments and cures, it buffers humans from organisms that cause disease," says Anne Lariguaderie, Director of Diversitas, a group of ecologists and other scientists exploring biodiversity. ♦

**Editor's Note: To understand this argument, start with the idea that every species has a gene pool and different combinations of these genes account for its diversity. A species with a single combination would be vulnerable to annihilation by any virus or bacterium which infected it. The more diverse a species, the more likely some of its members can resist a disease and thus eventually contain it. However, owners of animal factories seek to "homogenize" the gene pool of their animals (have less genetic diversity) in order, as the article says, "to have the fastest growth." This is a simple example of cutting costs by standardizing the product. Minimizing diversity also enables a giant poultry company, for example, to guarantee that all chicken thighs sold under its name will be more or less the same. Animals in factories less resistant to diseases, including avian flu, are naturally more likely to infect people or other animals. Their cramped quarters also make the animals more vulnerable to disease, another reason owners typically feed them antibiotics even when they aren't sick. This practice results in products with strains of bacteria resistant to antibiotics and leads to a well-documented reduction in the ability of some such antibiotics to cure diseases.*

OUE Pilots Energy Partnership

We have good news regarding OUE's "alternative energy initiative." Solair Energy, our alternative energy consultant, has recently installed a solar energy project at Turbotville Elementary School and later this year will install one at Greenwood Friends school in Millville. (The Greenwood project has been delayed because of a national shortage of the kind of solar panels needed to build it.) These projects are being financed by \$6,000 of your donations, a \$9,000 grant, and smaller contributions by the two schools.

The project at Turbotville, featuring solar panels on the roof of the building which can heat water to 180 degrees, will pre-heat water to be used to wash dishes in the kitchen. In addition to reducing the school's fuel costs, the project will include an educational component for the students. This will be a thermometer that displays and continually compares the temperature of the fluid in the solar panels to that of the water in storage tanks below. It will also contain a picture diagram of the system and how it works.

At Greenwood Friends School, Solair Energy will install photovoltaic cells on the roof that will generate electrical current

from the sun's rays and use that energy to power at least some of the lights in the science room. There will also be a small demonstration model of the project in the science room for all to see and study.

Further, Pam Denlinger and OUE Board members will soon meet with a farmer who lives north of Williamsport to discuss the installation of a wind machine on his farm. The funding for this project, one that is much more expensive than those at the schools, would necessarily come from public grants. OUE's involvement includes helping to assess the feasibility of the project and participating in the early steps of applying for such grants.

Future alternative energy/conservation projects supported by OUE will depend primarily on how much time we have that is not taken up working with local citizens to fight encroaching polluters such as the animal factory in White Deer Township. ♦

OUE Organizing Manual

The OUE Board is now distributing an "organizing manual" written by several OUE members and based on their experiences in resisting such polluters as animal factories, land fill expansions, and tire burning factories. This manual compresses in ten pages what its authors believe to be the most essential steps that people need to take in trying to keep unwanted polluters from their communities.

The manual deals with topics such as what to do when you first discover the bad news, how to go from anger and anxiety to organizing an effective challenge to the polluter, and all the steps in between. The half dozen people who wrote the manual shared decades of experience in doing this kind of organizing, and they wrote the manual in answer to this question: "What would I most have wanted to know on that first day my neighbors and I found out a major polluter was planning to invade our community?"

Responses to the manual from a variety of readers have been altogether positive, and they have persuaded us to distribute it as widely as possible. A copy can be downloaded from the OUE website at: www.ouenews.org. Those wanting a hard copy of the manual can call 570 523-0010 to request one. ♦

OUE Speakers

Organizations like OUE always need to get the word out about what they are doing and why. That is of course a central purpose of this newsletter and also the reason that in the past we have held demonstrations and press conferences and circulated flyers. We have, on occasion, also provided speakers to schools, clubs, and other groups to tell them about our activities. During the battle in the early 1990s against the proposed hazardous waste incinerator, OUE had a "speakers bureau" of about a dozen members who traveled all over the valley to describe our actions and to recruit new members to our cause.

In recent years, we have done most of our work with groups fighting polluters, especially animal factories, and for the most part they have arranged and handled the necessary speaking engagements. However, the OUE Board has decided again to publicize its willingness to offer speakers to people interested in what we are doing. As examples, later this year a few Board members will speak to the joint quarterly meeting of the Kiwanis, Rotary, and Lions club. Early next year, we will have a similar engagement with the "Life Long Learning Institute," which holds its meetings at Susquehanna University.

Most of us on the OUE Board, like most of our members, are concerned citizens rather than experts in environmental studies. However, we do have a good deal of experience in gathering information from the experts and sharing it with the public and with helping people to organize resistance to unwanted polluters in their communities. If you would like to schedule an OUE Board speaker, please call 570 523-0010. ♦

OUE Board Meetings

The OUE Board meets at 7:00 p.m. on the first Monday of every month at the United Methodist Church in Watsontown. Our meetings are open to the public, and we encourage local citizens to attend and, better yet, to join us in our work. ♦

OUE Publications Committee: Editor, Charles Sackrey; Associate Editors, Linda Godfrey, Dave Laidacker, and Clyde Peeling; Distribution, Bessie Bush and Linda Godfrey.

Organizations United for the Environment

P.O. Box 193, Allenwood, PA 17810 Phone and Fax (570) 523-0010

OUE is a grass-roots organization dedicated to protecting the environment. As a non-profit, charitable organization, OUE is completely dependent on public support to continue its work, and you can help us along with a tax-deductible contribution. Donations are used to fund efforts such as the *Ban the Burner* campaign in the early 1990s, activities of *The Task Force on Hog Factories*, alternative energy projects that will be built at local schools, and for public education. Our web site is: www.ouenews.org. Please send your comments to: editor@ouenews.org.