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VIA EMAIL

Dear Members of Denver City Council,

On behalf of The Humane Society of the United States (HSUS) and our more than 11 million supporters, I am writing to offer comment on the proposed food producing animals ordinance that Denver City Council is currently considering. The benefits of allowing backyard hens can be manifold, so long as appropriate standards of care—and their enforcement—are addressed sufficiently in the ordinance's language and implementation.

Benefits

The HSUS supports measures that encourage respect for animals and help reduce their suffering. Every family that gets their eggs from backyard hens is likely reducing or eliminating their purchase of eggs laid by hens who suffered on factory farms. Additionally, by gaining firsthand knowledge of chickens through keeping and caring for them, people are likely to gain appreciation for the animals' complex behavior, individual personalities, and similarities to the dogs and cats they welcome into their families, thus fostering greater compassion for all animals. Third, keeping backyard hens can help families obtain local eggs, leading to a reduction in their contribution to emissions and environmental costs associated with transporting food across long distances. Finally, if more hens are adopted from existing sources (e.g., animal shelters, sanctuaries, or re-homing), there are more opportunities for hens to live longer lives – because they are spared euthanasia or slaughter.

However, as with any new policy consideration, there are concerns that must be addressed in order for the *net* benefits to remain positive and to ensure that the animals' welfare needs are met. We address some primary concerns below and offer some ideas about how Denver can address them.

Concern 1: Acquisition

Most chickens purchased are bought from hatcheries directly or indirectly through feed stores. Hatcheries ship day-old birds through the postal service without any legal oversight. Young chickens are deprived of food and water for up to 72 hours and can be exposed to temperature extremes. Because sexing of chicks is not an accurate science and because some hatcheries use male chicks as packing material—sending unordered males to take up extra space in the shipping box—many citizens may discover several weeks or months later that they are in possession of one or more roosters, rather than just hens. A recent survey of farm animal sanctuaries estimates this occurs 20-50 percent of the time.

This means that many citizens will end up with birds who are unwanted or illegal. These birds are likely to be abandoned, illegally slaughtered, or surrendered to local animal shelters.

Since the proposed ordinance allows only female birds, citizens will need to be encouraged to adopt adult birds rather than purchasing "straight run" chicks of unknown sex. Many hens are listed on www.petfinder.org, www.sanctuaries.org, www.farmsanctuary.org, www.grantfarms.com (local "Hen Again" adoption program) and are available in most locales on www.craigslist.com.

Concern 2: Care

While chickens can be wonderful companions and can be relatively easy to maintain, they do have special needs. We recommend the city provide thorough care information for residents wishing to house chickens.

- *Chickens are heat- and cold-sensitive:* Like dogs and cats, chickens must have access to shelter to protect them from temperature extremes. Hens and roosters with large single combs are prone to frost-bite in cooler climates, and all chickens need shade during periods of heat. It is important that the shelter is both insulated if the climate can be cold and well-ventilated. Straw bedding will add comfort and warmth to a shelter's floor space, as long as it is replaced regularly with new, clean straw (with appropriate rodent-prevention techniques in place).
- *Predator protection is vital:* Chickens require unfailingly secure shelter at night or they can easily fall prey to urban wildlife, such as raccoons, opossums, and rats. Chickens are also prone to attack by domestic dogs, and when kept within city limits, should be fenced for their own protection. They must be completely enclosed in a safe hen house every night. During the day, chickens should be kept in a fully-fenced enclosure or yard with proper protection from aerial, day-time predators and neighborhood dogs and, in the case of small bantams, large domestic free-roaming cats.
- *Essential housing considerations:* It is generally accepted by the scientific community that the *quality* of space provided is as important as the quantity. Hens have behavioral requirements beyond their basic needs for appropriate food, water, shelter, and veterinary care. The most important behavioral need of hens is the full expression of nesting activities, and they must have an enclosed nesting space in which to lay their eggs. Studies of hen behavior have found that hens are frustrated and distressed when they do not have access to a nest box.¹ Loose substrate, such as dirt, sand or peat, for dust-bathing is enjoyed by hens and can help prevent ectoparasites.² Hens should also have free access to grass and other vegetation to engage in natural pecking, scratching, and foraging behavior. Elevated roosts for perching at night are very important,³ necessitating adequate indoor space in the vertical dimension.

A fuller discussion of hen housing recommendations can be found at:
<http://www.brittonclouse.com/chickenrunrescue/>

¹ Yue S and Duncan IJ. 2003. Frustrated nesting behaviour: relation to extra-cuticular shell calcium and bone strength in White Leghorn hens. *British Poultry Science* 44(2):175-81.

² Widowski TM and Duncan IJH. 2000. Working for a dustbath: are hens increasing pleasure rather than reducing suffering? *Applied Animal Behaviour Science* 68(1):39-53.

³ Blokhuis HJ. 1984. Rest in poultry. *Applied Animal Behaviour Science* 12(3):289-303, citing: Ellenberger W and Baum H. 1943. *Handbuch der vergleichenden Anatomie der Haustiere* (Berlin, Germany: Springer Verlag, p. 1155).

Concern 4: Enforcement

The current draft of the Denver ordinance requires only a single one-time license and no permit. The license does not apply to individual animals but allows the licensee to keep up to the maximum number of specified livestock. There is no way to relate a license to individual animals or to tell, on the basis of licensing, how many livestock animals are being legally kept in Denver at any given time or over a period of time. We recommend requiring permits and annual license fees for individual animals.

Concern 5: Goats

There has been considerably less discussion of urban goats compared to backyard chickens. Discussions that do exist may rely on industrial standards. We feel that the proposed space allocation of 130 square feet per goat is rather small. Goats are curious, energetic, playful animals and they need an enriched environment that provides opportunities for exploration and ambulation in a way that provides sufficient exercise. They are also susceptible to parasitic infections, and if they are confined to a small space they are more likely to contract intestinal helminthes (worms). Thus it is essential that pens for urban goats are kept very clean and are designed with the behavioral needs of goats—to climb, run, browse and forage—in mind. Moreover, goats are social animals and should not be kept alone. Goats can be very destructive to gardens, a fact that may disappoint new caretakers. Since many common plants are toxic to goats, access to poisonous plants must be prevented. One common goat disease (soremouth) can be transmitted to humans, thus creating zoonotic disease potential in an urban setting. The risks to public health must be carefully considered.

Additionally, using goats as a source of milk necessitates the constant production of baby goats despite the ordinance's restriction to 2 goats. Since males goats are required to be altered before they reach sexual maturity the issue of breeding females to start production of milk may frustrate caretakers. Our fear is that Denver is going into unexplored and unsustainable territory by entertaining the prospect of goats at all.

We are available to discuss these issues, as well as additional solutions that may be specific to Denver. Please do not hesitate to contact me if I can be of assistance. Thank you.

Sincerely,



Holly Tarry
Colorado Director

cc: Paul Shapiro, Senior Director, Factory Farming Campaign, The HSUS
Dr. Sara Shields, Consultant, Humane Society International