

### **Executive Summary**

<u>Just four companies</u> process roughly 60% of chicken sold in the United States: Tyson Foods, Pilgrim's Pride, Sanderson Farms, and Perdue Farms. Perdue Farms, the number one brand of fresh chicken in the United States and a supplier to chains including Whole Foods and Costco, has been <u>praised</u> for <u>leading Big</u> Poultry's shift away from antibiotics. Around 95% of the company's products are labelled as "no antibiotics ever," including those from Petaluma Poultry, a "free range" and partially "organic" subsidiary of Perdue based in Petaluma, California. On its website, Petaluma Poultry brands itself as "a pioneer in free range and organic poultry." The company is known for its ROCKY and ROSIE brand chickens, which are the names it uses for its "freerange" and "organic" lines. The ROSIE brand was the first chicken

to have the USDA organic seal.

But a closer look behind the humane marketing shows that Perdue's Petaluma Poultry is engaging in systemic crimes against animals and getting away with it despite the knowledge of law enforcement and other government agencies. In 2018, Sonoma County's own Animal Services Department referred a Petaluma Poultrysupplying farm to the Sheriff's Office as a suspect in an animal cruelty case after examining birds retrieved from the farm by activists. But it was activists, and not the farm, who were charged with felonies. Over the following five years, Direct Action Everywhere (DxE) investigators made repeated visits to six Petaluma Poultry-supplying factory farms in Northern California. They documented routine violations of California's



animal cruelty laws, including birds collapsed on the floor or stuck on their backs and unable to walk to food or water, left to slowly starve to death, as well as infectious diseases that threaten public health. Yet, despite dozens of reports to county and state authorities, the government still refuses to hold the company accountable. Instead, the Sonoma County District Attorney's Office is prosecuting the people calling attention to these public concerns -- and therefore helping Big Poultry keep consumers in the dark.

## Animal Cruelty Is Business as Usual at Petaluma Poultry

In 2018, whistleblower footage from McCoy's Poultry, a contract farm supplying Petaluma Poultry, showed birds stuck on their backs or collapsed on the ground, visibly struggling to breathe; birds with splayed legs struggling to walk; and countless dead birds. This footage demonstrates clear violations of California Penal Code Section 597; in particular, birds who are collapsed and unable to walk cannot access

provide immediate aid to dying animals. Some people set up medical care tents on the farm property, while others donned biosecurity gear and entered the sheds where birds were housed to identify sick and injured animals, who were then brought to the



Sonoma County's own animal services department <u>referred</u> the owner of McCoy's Poultry as a suspect for animal cruelty to the Sheriff's Office, after examination of the birds removed by activists revealed numerous wing and joint injuries, open sores, reovirus,



(Left) A bird with splayed legs and one with significant feather loss (right) inside a Petaluma
Poultry factory farm located at 936 Hunter Lane in Santa Rosa.
(Below) A bird with splayed legs inside a Petaluma Poultry factory farm called Lakeville Growers.

food and water and it is a crime to deprive animals of "necessary sustenance, drink, or shelter."

This footage was reported to Sonoma County authorities, but no action was taken, so members of the public took action themselves. On September 29, 2018, over a hundred DxE activists gathered at McCoy's Poultry to document the conditions, call upon the authorities to act, and medical care tents. Experienced animal caretakers examined the animals and gave them water and wet food via syringes. When the police arrived, they arrested 58 people on felony charges and seized all but one of the birds. They sent the seized animals, including nine living birds and six deceased birds, to Sonoma County Animal Control.

and necrotic wounds so deep that muscle and bone were exposed. Additionally, all nine living birds either could not walk or had severe difficulty walking, as indicated by the Gait score of 2. The Gait scoring system is used to describe locomotion deficiency in chickens raised for meat because it is such a widespread problem in the industry. A Gait score of 2 indicates birds will not walk more

than five feet.

The deceased birds showed advanced states of decay, indicating they had been left deceased for multiple days among the living birds. The report concluded that all of the living birds "are in poor health and are in distress."

The Sheriff's Office never prosecuted McCoy's Poultry despite this evidence of criminal animal cruelty.

In the five years since then, DxE investigators have entered several Petaluma Poultry-supplying factory farms in Northern California to determine how widespread the company's animal cruelty is. Across all the facilities, investigators found birds who struggled to walk and deceased birds among the living. They documented birds laying in their own feces and walking over dead birds to access food and water. as well as birds with wounds and significant feather loss.

Many birds had splayed legs, a condition in which young chickens' legs splay laterally so that they cannot bear weight on their legs. This condition can lead to starvation if the bird cannot walk to food, particularly in a crowded farm environment where individual care is not provided. Splayed legs can be treated with a brace if the intervention is early, but this is not a standard practice within commercial operations like Petaluma Poultry.

Investigators observed poor air quality across the facilities due to high levels of ammonia (NH<sub>3</sub>) which is generated because of nitrogen in the uric acid of chicken manure. Ammonia is a very strong irritant that can inflame the eyes and lungs, even at low concentrations. At Petaluma Poultry's Hunter Lane facility, the air inside the shed was so filled with ammonia that two investigators experienced respiratory reactions, including coughing and burning in their eyes, nose, and throat, that persisted for days after leaving the site.

chickens knew that previous attempts to report Petaluma Poultry's criminal animal cruelty to Sonoma County law enforcement had proved fruitless. Knowing they would die if she did not act, she carried the birds out and provided them with emergency care.

She named them Vincent and Petunia. Vincent had a fever of



**An Emergency** Rescue

In April 2023, during an investigation at the Petaluma Poultry factory farm at 936 Hunter Lane in Santa Rosa, a DxE investigator observed a chicken who was on her back, unable to right herself. Her wing was bloody and she screamed when it was touched. Another chicken was sitting on the floor of the farm, so weak that he refused to stand when nudged by the investigator. When chickens can't stand or walk on factory

The investigator who found these

597.

who advised the birds be immediately taken to a veterinary hospital. At the hospital, Vincent and Petunia were seen by three different avian veterinarians who warned that the birds might not survive.

Petunia was diagnosed with a dislocated shoulder, likely a result of injury. She was also diagnosed with an "angel wing," a condition where the feathers in a bird's wing sag as a result of a nutritional deficiency. Finally, she was diagnosed with Infectious Bursal Disease, a disease that can cause mortality in more than 60% of the chickens who contract it.

Vincent was diagnosed with heart disease. Veterinarians warned that, even with medication, the heart disease would greatly shorten his life. He was also diagnosed with a hernia and a spine defect known as "sway back." His fecal test was positive for Coccidia parasites. He was also diagnosed with Infectious Bronchitis Virus and septicaemia caused by a multi-drug resistant strain of zoonotic Enterococcus bacteria.

Petunia and Vincent had to be hospitalized for five days. Petunia was prescribed four different medications while Vincent was prescribed six. Their vet bills cost over \$6,000, a price Petaluma Poultry would likely never pay to care for a chicken they would sell for less than \$12.00.

The joint in Petunia's wing is expected to permanently be in a cycle of dislocation and relocation. Vincent's heart

disease, sway back, and hernia will impact the rest of his life. They are both on medications to manage their symptoms and they are receiving personalized care from the people who look after them.

## Abuse in the Dark: Inside the Petaluma Poultry Slaughterhouse

Over 200,000 chickens are slaughtered each week at the Petaluma Poultry slaughterhouse located at 2700 Lakeville Highway in Petaluma, California; over

40,000 birds are killed each day and the plant is in operation five days a week.

Hidden camera video from inside the slaughterhouse shows that workers have to hang birds onto the shackles in complete darkness. This is a safety hazard for

the workers, and it increases the risk of mishandling of birds. Additionally, the darkness makes it essentially impossible for workers in the hanging station to identify sick, injured or deceased birds and remove them from the slaughter line.

Cornish chickens and other breeds commonly raised for their meat naturally live for six or more years, but Petaluma Poultry, like other chicken producers, slaughters its birds when they are

between six and eight weeks old. Already, at just 42-56 days old, while they are still babies, many of the birds have severe disabilities, injuries, and infections like septicaemia.

Documents from the Petaluma
Poultry slaughterhouse obtained
by a whistleblower show that in a
single day on April 28, 2023, over
1,000 animals were condemned
after being slaughtered due to
septicaemia (blood poisoning
by bacteria) and toxemia.
Condemning is an industry term
for disqualifying birds from the
food supply and discarding of
them.

The whistleblower also documented bright red chicken parts that had been discarded inside the slaughterhouse, a likely sign that the birds were scalded alive and subsequently condemned. USDA guidelines require the condemning of

birds who "die from

causes other than slaughter," which they call "cadavers."
According to the USDA, cadavers "are still breathing when they enter the scald vat...When submerged in the hot water, they drown, and the physiological reaction to the heat is for the blood vessels to expand or dilate causing the remaining blood to flow to the surface of the skin in an attempt to cool the bird. This is what causes the skin of the carcass or neck to become cherry red to purple." (See page 40 of this

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USDA Slaughter
Inspection
Refresher Course).
On average,
825,000 chickens
are scalded to
death alive each
year in the US,
according to the
USDA's own data.

"In a single day on April 28, 2023, over 1,000 animals were condemned after being slaughtered due to septicaemia." and can be fatal. A blood culture for one bird found a highly antibiotic-resistant Enterococcus bacteria which can transfer to humans. A UC Davis necropsy report

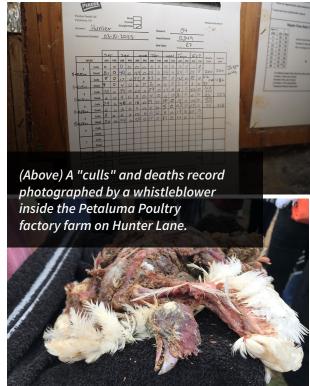
for a bird found deceased inside one of the farms revealed that the animal had Clostridium perfringens, a zoonotic pathogen that can cause necrotic enteritis in humans and other animals. Necrotic enteritis causes inflammation and segments of necrosis (the death of most or all of the cells in an organ or tissue) throughout the gastrointestinal tract and can be fatal.

According to a report from the National Institute of Health, "Available consumer research demonstrates that consumers purchase poultry never given antibiotics because they believe it is better for the animal (ORC, 2017). As shown in this paper, removing access to antibiotics increases the risk and severity across three diseases states known to reduce animal welfare."

It is unsurprising then that the Petaluma Poultry slaughterhouse has particularly high rates of salmonella and campylobacter, two bacteria that cause widespread illnesses in humans. In August 2022, The Press Democrat published an article titled, "Perdue's Petaluma poultry plant struggles to eliminate bacteria that can make people sick," reporting on

a study that found "63% of the whole carcasses tested at Perdue Petaluma, and 61% of the chicken parts tested, were positive for campylobacter. That's close to four times the national rate."

According to the CDC,





Deceased birds at McCoy's Poultry (middle) and another Petaluma Poultry factory farm (bottom).

campylobacter causes an estimated <u>1.5 million illnesses</u> each year in the United States, and one of the common ways people get campylobacter infection is by eating raw or undercooked poultry or eating

#### **Endangering Public Health**

The Covid-19 pandemic taught us the importance of social distancing to prevent the spread of a virus, but in factory farms, no such precautions are taken. In Petaluma Poultry facilities, tens of thousands of birds are crammed together inside a single, industrial shed, as feces piles up. Facilities are cleaned out only after the birds are sent to the slaughterhouse, before a new flock arrives. These filthy, crowded conditions provide the perfect environment for diseases to emerge and spread.

In 2023, DxE investigations at Petaluma Poultry-supplying factory farms found birds with highly infectious pathogens, including the Infectious Bursal Disease (IBD) and Infectious Bronchitis Virus (IBV) mentioned above. IBV, the "coronavirus of the chicken," has a morbidity (transmission) rate of up to 100%, and a mortality rate between 25-80%. It is one of the foremost causes of economic loss within the poultry industry. Fecal tests from live and dead birds found coccidia, which causes diarrhea and weight loss in chickens,

something that touched it. The infection causes diarrhea, fever and stomach cramps, and sometimes, complications like irritable bowel syndrome or temporary paralysis. Like with many viruses, it affects people with weakened immune systems the worst, in some cases spreading to the bloodstream and causing a life-threatening infection.

We also know from the CDC that

ridden conditions at Petaluma Poultry factory farms, particularly given the company's inability to keep these diseases out of the slaughterhouse and the food supply.

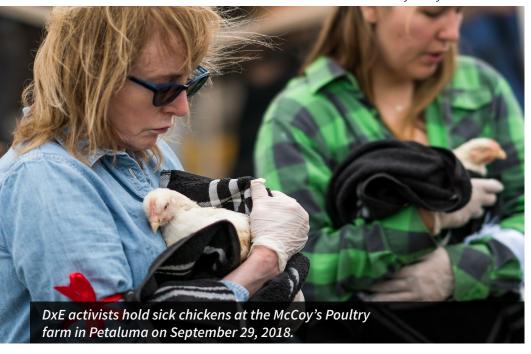
#### A Broken System

The evidence is clear but the authorities are failing to act. Investigators have recorded criminal animal cruelty at Petaluma Poultry for years and

response at all. When an agency representative did respond, it was to place the responsibility with another agency, decline a requested meeting, or in the case of the California Attorney General, to give the following nonanswer: "As you may be aware, in responding to requests for investigations, we are generally unable to provide specific responses that would confirm or deny a potential or ongoing investigation."

Sonoma County authorities have chosen to not only ignore evidence of criminal animal cruelty, but to prosecute the people who brought it to light. There have been more than 100 felony arrests at factory farms in the county during peaceful actions calling attention to animal cruelty. Four activists are currently facing criminal charges in Sonoma County, including a total of twelve felony charges. The DA's office initially filed felonies against these activists in the weeks following the September 2018 action at McCoy's Poultry, but it has since dropped those charges from the criminal complaint, possibly to prevent certain evidence -- like the suspect referral from Animal Services -from coming out in court.

Sonoma authorities have also made mocking comments related to activists' concerns and provided animal farmers with advice for how to "manage activists." On October 29, 2018, one month after the McCoy action, the Sonoma County Farm Bureau hosted an event called "Beyond the Fence Line," which



over 60% of known infectious diseases in humans can be spread from nonhuman animals, and 75% of new or emerging

infectious diseases in humans come from animals. We see the perfect breeding ground for such new diseases to emerge in the filthy, crowded, and diseasesent dozens of reports to county and state authorities, including the Sonoma County Sheriff's Office, Sonoma County District Attorney, Sonoma

County Animal
Services, California
Attorney General,
California Department
of Public Health, USDA,
and CDFA (California
Department of Food
and Agriculture).
The most common
response to these
reports has been no

"A UC Davis necropsy report for a bird found deceased inside one of the farms revealed that the animal had Clostridium perfringens, a zoonotic pathogen that can cause necrotic enteritis in humans and other animals."

purported to teach members how to "prepare for and manage activists." Both the Sonoma County Sheriff and a Sonoma County Deputy District Attorney gave presentations at the event.

The Sonoma County Farm Bureau contributed \$20,000 to the "No on Measure P" campaign, which was a 2020 ballot measure to increase law enforcement transparency and accountability, despite many of the actual farmers in the County expressing support for the measure. In 2021, the Sonoma County Farm Bureau awarded the Sonoma County Sheriff's Office with the 2020-2021 Friend of the Farm Bureau award, in part because they "are always present at the Farm Bureau's Beyond the Fenceline meetings [...] offered to members on how to best prepare for activist activity on their property."

# **Chickens are Sentient and Intelligent**

A wealth of scientific studies have proven that animals, including chickens, are sentient, meaning they have the capacity to experience feelings such as happiness, pain and fear.

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Additionally, a number of studies have demonstrated chickens' intelligence. People often misperceive chickens as lacking key

characteristics associated with intelligence, a misperception

influenced by the context in which we tend to think about chickens: as commodities in a system of production, rather than individuals in a natural environment. The intelligence of chickens has been less documented than that of certain other animals, but the findings are conclusive.

Chickens understand a difference in numbers and perceive the passing of time. Five-day-old chicks can perform arithmetic operations with up to five total objects. In a study where chickens were allowed to choose between a 2 second delay followed by access to food for 3 seconds or a 6 second delay followed by access to food for 22 seconds, the birds held out for the larger reward.

Chickens' complex communication consists of at least 24 distinct vocalizations. In one study, roosters were shown computer-generated animations of various natural predators and they made one unique call for aerial predators, such as a raptor,

and a different call for terrestrial predators, such as a raccoon. Another unique vocalization they use encourages the group to stick together. Chickens are social animals. They distinguish among individuals and keep track of their group's

social hierarchy. They learn how to perform tasks from watching



DxE activist Rachel Ziegler provides water to a sick bird at McCoy's Poultry on September 29, 2018.

> others. Studies have shown mother hens empathize with their chicks when they experience discomfort.

> In factory farms, chicks are not raised with their mothers. The complex social interactions of chickens are prevented in an artificial production environment.

#### **What Must Be Done**

The Sonoma County District
Attorney must address the
rampant criminal animal
cruelty and public health risks
at Petaluma Poultry and other
factory farms in the county. The
DA should launch an immediate
and thorough investigation
into the Petaluma Poultry
slaughterhouse and its suppliers
within the county, during which
time operations at Petaluma
Poultry should be halted. If
Petaluma Poultry were to halt
deliveries of chicks from its

hatcheries to these farms, the entire production cycle could be halted in just a few weeks, given the short time the company raises its birds before slaughter.

The DA's office could work in conjunction with members of the USDA and CDFA to lead this investigation. When the investigation finds deceased birds, as it surely will across the farms, their bodies should be collected for a greater scale of disease testing and the findings should be made available to the public, especially those who live in the communities where these facilities are located. When the investigation finds animals who are sick, injured, or unable to walk, which will also doubtless happen during the course of the investigation, these animals

should be confiscated and sent to farm animal sanctuaries to receive immediate veterinary care.
Ultimately, the DA should use the evidence it gathers to prosecute Perdue's Petaluma Poultry and other factory farming corporations for endangering animals, workers, and the public -- and the DA should drop all charges against the whistleblowers and animal rescuers who helped uncover these violations.

Moreover, we call on public officials to end their support of animal agribusiness, and take immediate steps to ensure a safe, sustainable, and humane food system. It is time for legislators to acknowledge the link between animal agriculture and pandemics, as well as the rights that nonhuman animals deserve,

and make a plan to transition to a 100% plant-based food system.

## **About Direct Action Everywhere**

Investigators with **Direct Action** Everywhere (DxE) enter farms, slaughterhouses, and other facilities to document abuses. and to rescue sick and injured animals. DxE's investigatory work has been featured in The The New York Times, WIRED, and a brutal mass pig killing exposé. DxE activists have been <u>subjected to</u> FBI raids and felony prosecutions for their investigative work. In 2022, DxE activists won the first acquittal in an open rescue case. DxE led the 2019 grassroots effort to ban fur products in California. Visit DxE on Facebook, Twitter and at directactioneverywhere.com.

