June 27, 2013

SENATE BILL NO. 1921
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1921 (First Reprint) without my approval.

In 1995, in recognition of their expertise concerning agricultural best practices, the Legislature directed the State Board of Agriculture and the Department of Agriculture to develop and adopt standards for the humane raising, keeping, care, and treatment of domestic livestock. These Humane Standards have put New Jersey at the vanguard of protecting domestic livestock from animal cruelty. In upholding the majority of the Humane Standards – including a direct challenge to the regulations governing the treatment of gestating pigs which this bill seeks to overturn – the Supreme Court of New Jersey noted that "the Department took seriously its charge to consider all aspects of . . . the welfare of domestic livestock." In directing the State Board and the Department to adopt Humane Standards, the Legislature specifically required that such adoption be in accordance with the Administrative Procedure Act ("APA"), thereby exposing all standards to public review and scrutiny, allowing all stakeholders to voice their opinion, and ensuring that all perspectives and the most current scientific evidence are considered before any standards are adopted.

The legislative proceedings on this bill demonstrated that questions concerning the confinement and humane treatment of gestating pigs have become the subject of heated public debate. Expanding on those questions, this bill would criminalize the confinement of a gestating pig in a crate in which she could not

freely turn – an industry practice that neither the American Veterinary Medical Association nor the American Association of Swine Veterinarians advocates to ban.

The legislative process highlighted the divergent scholarship and evidence surrounding the use of gestation crates. The variety of views that exist reaffirm the Legislature's sage decision to empower the State Board and Department to develop the Humane Standards. The proper balancing of the humane treatment of gestating pigs with the interests of farmers whose livelihood depends on their ability to properly manage their livestock best rests with the State's farming experts – the State Board and the Department.

I have every confidence that the State Board and the Department will continue to closely monitor and study modern and appropriate techniques for the humane raising, keeping, care, and treatment of all domestic livestock, and will propose amended regulations if, and when, modern science and evidence demonstrates a need for modified agricultural practices.

Accordingly, I herewith return Senate Bill No. 1921 (First Reprint) without my approval.

Respectfully,
/s/ Chris Christie
Governor

[seal]

Attest:
/s/ Charles B. McKenna
Chief Counsel to the Governor