
MCARTHUR DAIRY FARM

AN ANIMAL RECOVERY MISSION UNDERCOVER INVESTIGATION



Presented By: Animal Recovery Mission (ARM)

December 5th, 2017



Contact Information

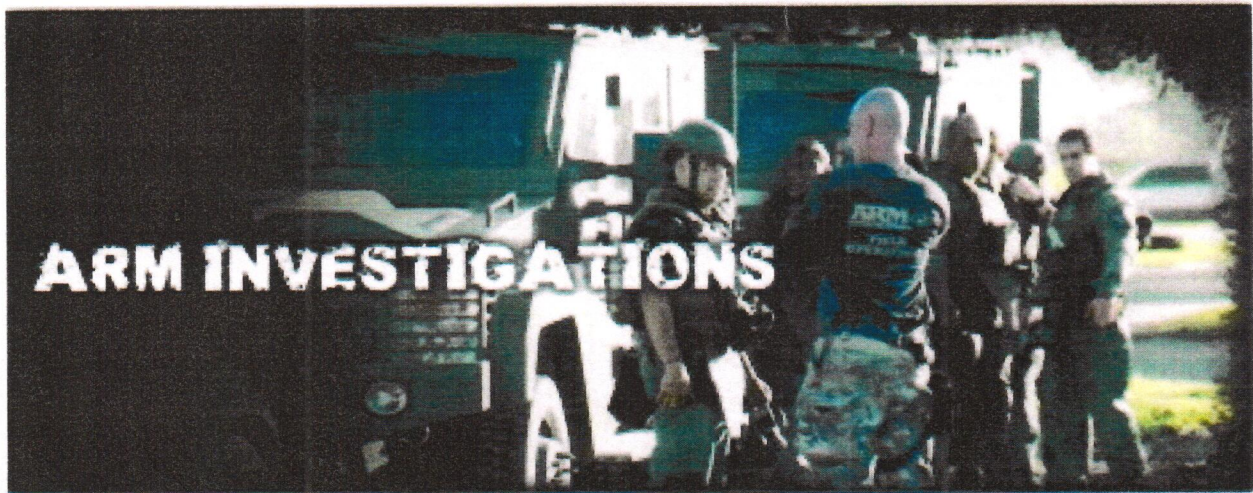
Address: P.O Box 403344, Miami Beach, Florida 33140

Email: kudo@arminvestigations.org

Phone: 305 807 6252

Web URL: www.animalrecoverymission.org

ANIMAL RECOVERY MISSION



Established in 2010, The Animal Recovery Mission (ARM), is a non profit investigative organization dedicated to eliminating extreme animal cruelty operations worldwide. ARM stands out as a vanguard and uncompromising defending force for the welfare of animals. In addition, ARM strives to put an end to, and preventing pain, suffering and torture as a result of inhumane practices.

The mission of the organization is to implement direct-action tactics to investigate, document and expose illegal activities of extreme animal cruelty. The organization's primary goals are to improve the quality of life for animals and to educate the public regarding animal cruelty, the practices that contribute to animal cruelty and the illegal animal slaughter. Achieving these goals contribute to an increased awareness of the unforeseen ethical, social and environmental implications of animal abuse and produce effective changes in the treatment of defenseless animals.

Animal cruelty investigations taken on by ARM operatives include, but are not limited to; animal slaughter farms, animal sacrifice operations, illegal horse sales and slaughter, and animal fighting operations. In addition, ARM is focusing upon the pressing issues and concerns of animal welfare within the animal agriculture and factory farming sector.

Since 2010, ARM's undercover investigations have led to the closure of up to 138 illegal animal cruelty operations in the state of Florida alone. The following report provides detailed findings gathered during ARM's investigation of a dairy farm located in Okeechobee Florida-known as Larson Dairy.

SUMMARY OF INVESTIGATION



Between August and October of 2017 ARM Investigators were hired by McArthur Dairy to conduct multiple types of jobs. McArthur Dairy is one of the largest dairies in Florida and is controlled by Dean Foods which is the second largest dairy producer in the world. The investigators were under the direction of Richard Couto, President of Animal Recovery Mission. The ARM Investigators were issued and utilized surveillance equipment to capture the violations noted within this report. It should be noted that McArthur Dairy was not specifically targeted for recent abuse allegations. The Investigators were sent to multiple dairy farms in Okeechobee County. McArthur Dairy was the first farm to hire the investigators.

In 1999 HSUS conducted an undercover investigation into McArthur Dairy Farms. They revealed an employee of McArthur Dairy dragging, kicking and shooting newborn calves. In that same year the state of Florida decided not to pursue animal cruelty charges against McArthur Farms or its employees. The state reasons that killing unwanted or sick calves is not unusual at dairy farms. Now, 18 years later, the abuse continues.

The McArthur Dairy cow holding areas are overcrowded and unsanitary. Throughout the time the investigators were on site, multiple barns contained 15 plus more cows than available beds and feeding stations. This would force cows to lay in the feces covered concrete floors or stand the entire night. At times, the ARM Investigator noted more than 3 inches of feces on the ground within the holding areas. There is also a constant issue with overheating within these barns due to the overcrowding and lack of air circulation.

On a daily basis as cows are given injections, they were placed into headlocks which was often done by force. Many cows needed to be forced into the headlocks. This was done by using

PVC pipes which are provided by management. Employees will strike cows with the PVC pipe in the back, stomach, head and face in order to get cows to move. An ARM investigator observed Mario Hernandez striking a cow with a filed down sharpened tip of the PVC pipe directly in the face multiple times. That same cow was struck by other employees as well multiple times for approximately 2 minutes with PVC pipes. Employees were also observed striking cows in the udders and reproductive areas.

On a separate occasion, an ARM Investigator was asked to follow an employee as he used a flame torch to burn the hairs off the udders of all cows. The flame would be placed underneath the cow as it stood. It was visibly clear that the cows were in discomfort and in pain. Once the flame was used, the cow could be seen moving its legs as it attempted to rub its udders. Others would move their body attempting to remove themselves from the headlock. In one instance, the large flame from the torch was placed to several cows faces in order to have them move from a location. This created panic and caused several cows to fall on the ground.

Dairy cows which were sick or too weak to move, were injected with an unknown substance which was stated to undercover investigators sped up the heart rate of the cow. On other occasions the sick or weak cows were shot in the head utilizing a rifle. An ARM Investigator observed and recorded Mario Hernandez (who is not a licensed veterinarian) administering the unknown type of injection. Shortly after administering the injection, Mario was observed utilizing a very painful electrical prod to electrocute the dying cow multiple times. He continued to prod the dying cow until it collapsed. On multiple occasions the ARM Investigator recorded cows being picked up and tossed around with a front loader, then being violently dumped into a dumpster while it was still showing signs of life.

Cows which collapsed within the medical barn or their holding areas were picked up with a front loader or by utilizing a hip clamp. The hip clamp is only to be used for a few minutes. Employees were observed dragging cows long distances with the hip clamp. Along with the clamp, Supervisors Jorge and Mario, would alternate electrically prodding the cow as it was hoisted in the air. It was very clear that the cow could not stand on its own. Utilizing the electric prod only created more pain and suffering for the down cow. In other situations, cows were kicked, electrocuted and tails broken in order to have them stand up on their own after they went down.

Dairy cows are removed from their holding barns three times a day to be milked. As they are herded into the milking barn and into the milking station they are constantly yelled at. On occasions, a towel or PVC pipe is used to strike the cows as they move. Dairy cows at the McArthur Dairy spend ten months out of the year within the milking barns. They are only placed into a field so that they can give birth. Immediately after, they are placed back into their holding barns.

Multiple cows were observed walking with straps placed around their two back legs. This prohibited them from moving freely and made it difficult for them to walk.

At the McArthur Dairy birthing barn, employees are sent out multiple times a day into the field to bring cows in which they believe will deliver calves soon. More often than not, employees are observed forcefully removing calves out of the mother. A cow is placed into a headlock and injected with a substance which forces the cow into labor. Rather than wait some time, an employee would then immediately reach his hand into the vagina of the cow and pull the unborn calf out enough to place a rope tie around its legs. The calf would then be forced out with a mechanical calf puller. Employees stated that all calves are pulled with the mechanical calf puller. During this process, employees were also observed utilizing an electric prod on the cows attempting to give birth. This was done under the direction of Jennifer Discus who is the manager on site.

ARM Investigators were onsite when employees attempted for over 10 minutes to pull a calf out with the calf puller. This process appeared to be very painful and discomforting for the cow. The cow was clearly not in labor and ready to give birth. Regardless, the employees continued to attempt removing the calf forcefully. The cow made loud screams and at times appeared to want to fall to the ground but couldn't due to the headlock. Eventually the employee stopped attempting to force the unborn calf out and let the cow out into the holding facility.

Due to the amount of cows giving birth, there are several times a day when employees must go out into the maternity field and remove calves from their mothers. This involved one person on horseback, one operating a tractor and the third person in the trailer. The tractor would be operated towards the calf and its mother. The horseback rider would force the mother away from the calf so that the person in the trailer can pull the calf away and place into the trailer. During this process, the mother would make all attempts to reconnect with the calf. The horseback rider would have to constantly force the mother away, keeping her from her calf.

When all calves were picked up from the field in the process described above, they would be brought back to the barn and placed into another trailer. Two employees would pull calves by their legs, then pick them up by two legs and throw them into another trailer. No precautions were taken to make sure the transition was done without hurting the calves.

Calves are taken to a separate area of the McArthur farm where they are in care of a female supervisor who goes by the name of Margarita. On multiple occasions, she approached separate undercover ARM investigators and attempted to sell them female and male calves. She stated that the calves are sometimes sold off for \$60 by her to anyone looking to buy one.

Milk collected throughout the day is picked up by distribution trucks from Southeast Milk. Southeast Milk is a highly profitable co-op owned company that is made up of over 320 dairy farms, including McArthur Dairy Farm. Here, dairy products are processed and distributed to large supermarket conglomerates such as Publix.

LOCATION

Okeechobee County Property Appraiser

2017 Certified Values

updated: 11/16/2017

Parcel: 1-15-35-35-0A00-00002-0000

<< Next Lower Parcel Next Higher Parcel >>

Parcel List Generator Retrieve Tax Record Property Card
 2017 TRIM (pdf) [Interactive GIS Map](#) Print

<< Prev Search Result: 11 of 23 Next >>

Owner & Property Info

Owner's Name	MCARTHUR FARMS INC		
Site Address	1550 NE 208TH ST, OKEECHOBEE		
Mailing Address	1550 NE 208 ST OKEECHOBEE, FL 349727229		
Description	ALL W OF ROAD 15 LESS N 80 FT AS RECORDED IN ORB 77 PAGE 379 15 35S 35E 507 ACRES		
NOTE: This description is not to be used as the Legal Description for this parcel in any legal transaction.			
Land Area	507.500 ACRES	S/T/R	15-35-35
Neighborhood	368000.00	Tax District	30
DOR Use Code	DAIRY SFR (006801)	Market Area	330
The DOR Use Code shown here is a Dept. of Revenue code. Please contact the Okeechobee County Planning & Development office at 863-763-5548 for specific zoning information.			

GIS Aerial



Property & Assessment Values

2017 Certified Values

Mkt Land Value	cnt: (2)	\$29,000.00
Ag Land Value	cnt: (5)	\$127,695.00
Building Value	cnt: (6)	\$80,663.00
XFOB Value	cnt: (2)	\$4,228.00
Total Appraised Value		\$241,586.00

Just Value	\$2,163,150.00
Class Value	\$241,586.00
Assessed Value	\$241,586.00
Exempt Value	\$0.00
Total Taxable Value	\$241,586.00

Sales History

Show Similar Sales within 1/2 mile

Fill out Sales Questionnaire

Sale Date	Book/Page	Inst. Type	Sale VImp	Sale Qual	Sale RCode (Code List)	Sale Price
1/1/1900	52/439	WD	V	U	03	\$0.00

Building Characteristics

Bldg Sketch	Bldg Item	*Bldg Desc	Year Blt	Base S.F.	Total S.F.	Bldg Value
Show Sketch	1	SF SNGLFAM (000100)	1965	960	1272	\$8,058.00
Show Sketch	2	SF SNGLFAM (000100)	1965	960	1272	\$8,058.00
Show Sketch	3	SF SNGLFAM (000100)	1965	960	1272	\$8,058.00
Show Sketch	4	SF SNGLFAM (000100)	1965	960	1272	\$8,058.00
Show Sketch	5	SF SNGLFAM (000100)	1965	960	1272	\$8,081.00
Show Sketch	6	OFFICE (004900)	1979	3080	3563	\$40,350.00

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

Extra Features & Out Buildings (Show Codes)

Code	Desc	Year Blt	Value	Units	Dims	Condition (% Good)
CONC B	COM SLB WL	1991	\$1,547.00	0001491.000	0 x 0 x 0	PD (065.00)
CONC B	COM SLB WL	2015	\$2,681.00	0001680.000	120 x 14 x 0	PD (100.00)

Land Breakdown

Lnd Code	Desc	Units	Adjustments	Eff Rate	Lnd Value
100HS3	FIRST AC (MKT)	0000001.000 AC	1.00/1.00/1.00/1.00	\$14,000.00	\$14,000.00
300HS0	FARM HOUSI (MKT)	0000002.500 AC	1.00/1.00/1.00/1.00	\$6,000.00	\$15,000.00
005100	IMP PAST U (AG)	0000427.030 AC	1.00/1.00/1.00/1.00	\$223.00	\$95,227.00
005110	IRR PASTUR (AG)	0000021.980 AC	1.00/1.00/1.00/1.00	\$262.00	\$5,758.00
005010	SER ACRE (AG)	0000012.700 AC	1.00/1.00/1.00/1.00	\$2,000.00	\$25,400.00
005940	DAIRY RET (AG)	0000002.560 AC	1.00/1.00/1.00/1.00	\$31.00	\$79.00

Okeechobee County Property Appraiser

updated: 11/16/2017

2017 Certified Values

Parcel: 1-16-35-35-0A00-00001-0000

<< Next Lower Parcel Next Higher Parcel >>

Parcel List Generator Retrieve Tax Record Property Card
 2017 TRIM (pdf) [Interactive GIS Map](#) Print

<< Prev Search Result: 12 of 23 Next >>

Owner & Property Info

Owner's Name	MCARTHUR FARMS INC		
Site Address	75 NW 208TH ST, OKEECHOBEE		
Mailing Address	1550 NE 208 ST OKEECHOBEE, FL 349727229		
Description	ALL LESS N 80 FT AS RECORDED IN ORB 77 PAGE 379 16 35S 35E		
NOTE: This description is not to be used as the Legal Description for this parcel in any legal transaction.			
Land Area	630.000 ACRES	S/T/R	16-35-35
Neighborhood	368000.00	Tax District	30
DOR Use Code	GROVES,ORC (006600)	Market Area	330
<small>The DOR Use Code shown here is a Dept. of Revenue code. Please contact the Okeechobee County Planning & Development office at 863-763-5548 for specific zoning information.</small>			

GIS Aerial



Property & Assessment Values

2017 Certified Values

Mkt Land Value	cnt: (0)	\$0.00
Ag Land Value	cnt: (8)	\$189,017.00
Building Value	cnt: (3)	\$121,623.00
XFOB Value	cnt: (36)	\$437,016.00
Total Appraised Value		\$747,656.00

Just Value	\$3,182,097.00
Class Value	\$747,656.00
Assessed Value	\$747,656.00
Exempt Value	\$0.00
Total Taxable Value	\$747,656.00

Sales History

Show Similar Sales within 1/2 mile

[Fill out Sales Questionnaire](#)

Sale Date	Book/Page	Inst. Type	Sale VImp	Sale Qual	Sale RCode (Code List)	Sale Price
1/1/1900	52/439	WD	V	U	03	\$0.00

Building Characteristics

Bldg Sketch	Bldg Item	*Bldg Desc	Year Blt	Base S.F.	Total S.F.	Bldg Value
Show Sketch	1	DAIRY STLS (008800)	1990	7381	14180	\$76,765.00
Show Sketch	3	DAIRY BREE (008700)	1992	7412	8252	\$40,929.00
Show Sketch	4	MSC OUTBLD (009600)	2009	450	882	\$3,929.00

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

Extra Features & Out Buildings (Show Codes)

Code	Desc	Year Blt	Value	Units	Dims	Condition (% Good)
B27-1	ENVIRO C/F	1990	\$49,069.00	0043000.000	430 x 100 x 0	PD (050.00)
B27-1	ENVIRO C/F	1990	\$40,739.00	0035700.000	430 x 100 x 0	PD (050.00)
B27-1	ENVIRO C/F	1990	\$40,739.00	0035700.000	350 x 102 x 0	PD (050.00)
B27-1	ENVIRO C/F	1990	\$40,739.00	0035700.000	350 x 102 x 0	PD (050.00)
B27-1	ENVIRO C/F	1990	\$40,739.00	0035700.000	350 x 102 x 0	PD (050.00)

Land Breakdown

Lnd Code	Desc	Units	Adjustments	Eff Rate	Lnd Value
006200	ORANGE EAR (AG)	0000003.250 AC	1.00/1.00/1.00/1.00	\$2,182.00	\$7,091.00
006001	ORANGES VA (AG)	0000000.940 AC	1.00/1.00/1.00/1.00	\$1,250.00	\$1,175.00
005010	SER ACRE (AG)	0000023.000 AC	1.00/1.00/1.00/1.00	\$2,000.00	\$46,000.00
005100	IMP PAST U (AG)	0000249.120 AC	1.00/1.00/1.00/1.00	\$223.00	\$55,553.00
005110	IRR PASTUR (AG)	0000293.190 AC	1.00/1.00/1.00/1.00	\$262.00	\$76,815.00
005940	DAIRY RET (AG)	0000045.350 AC	1.00/1.00/1.00/1.00	\$31.00	\$1,405.00

Okeechobee County Property Appraiser

updated: 11/16/2017

Parcel: 1-15-35-35-0A00-00001-0000

<< Next Lower Parcel Next Higher Parcel >>

2017 Certified Values

Parcel List Generator Retrieve Tax Record Property Card

2017 TRIM (pdf) [Interactive GIS Map](#) Print

<< Prev Search Result: 10 of 23 Next >>

Owner & Property Info

Owner's Name	MCARTHUR FARMS INC		
Site Address	20202 HWY 441 N , OKEECHOBEE		
Mailing Address	1550 NE 208 ST OKEECHOBEE, FL 349727229		
Description	ALL OF SECTION 15, TOWNSHIP 35 SOUTH, RANGE 35 EAST, LYING EAST OF ROAD AND ALL OF SECTION 14, TOWNSHIP 35 SOUTH, RANGE 35 EAST		
NOTE: This description is not to be used as the Legal Description for this parcel in any legal transaction.			
Land Area	743.000 ACRES	S/T/R	15-35-35
Neighborhood	368000.00	Tax District	30
DOR Use Code	DAIRY SFR (006801)	Market Area	330
The DOR Use Code shown here is a Dept. of Revenue code. Please contact the Okeechobee County Planning & Development office at 863-763-5548 for specific zoning information.			

GIS Aerial



Property & Assessment Values

2017 Certified Values

Mkt Land Value	cnt: (2)	\$50,940.00
Ag Land Value	cnt: (4)	\$146,313.00
Building Value	cnt: (35)	\$359,345.00
XFOB Value	cnt: (27)	\$383,339.00
Total Appraised Value		\$939,937.00

Just Value	\$3,856,264.00
Class Value	\$939,937.00
Assessed Value	\$939,937.00
Exempt Value	\$0.00
Total Taxable Value	\$939,937.00

Sales History

Show Similar Sales within 1/2 mile

Fill out Sales Questionnaire

Sale Date	Book/Page	Inst. Type	Sale VImp	Sale Qual	Sale RCode (Code List)	Sale Price
1/1/1900	18/51	WD	V	U	03	\$0.00

Building Characteristics

Bldg Sketch	Bldg Item	*Bldg Desc	Year Blt	Base S.F.	Total S.F.	Bldg Value
Show Sketch	4	SF SNGLFAM (000100)	1960	1056	1139	\$8,064.00
Show Sketch	5	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	6	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	7	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	8	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	10	DAIRY BREE (008700)	1960	12723	22463	\$90,530.00
Show Sketch	11	DAIRY BREE (008700)	1991	1632	2422	\$8,426.00
Show Sketch	12	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	13	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	14	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	15	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	16	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	17	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	18	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	19	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	20	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	21	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	22	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	23	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	24	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	25	SF SNGLFAM (000100)	1960	1056	1196	\$8,110.00
Show Sketch	26	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	27	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00
Show Sketch	28	SF SNGLFAM (000100)	1960	1056	1076	\$8,019.00



calves > 3 months

newborn

milking

office

birthing

milking

milking

© 2016 Google

Google



cattle-barns

© 2017 Google

Google Earth

1994

My Guide

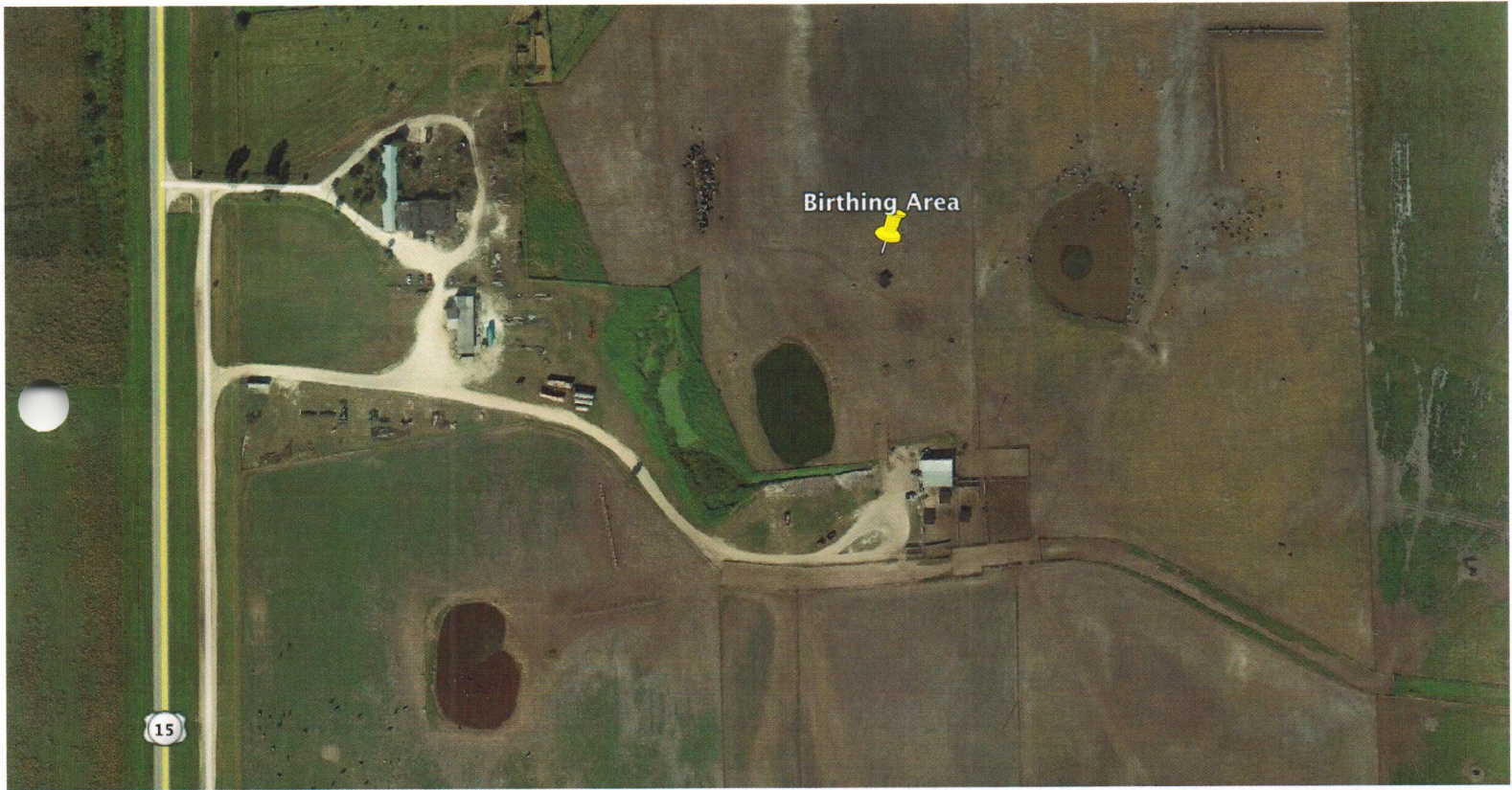
27°25'51.18" N 80°49'41.47" W elev 74 ft eye alt 4358 ft

McArthur Farms

birthing barn



Imagery ©2017 Google, Map data ©2017 Google 50 ft



**REPORT
RECIPIENTS**

U.S. Food and Drug Administration

Florida District Office
555 Winderly Place, Suite #200
Maitland, FL. 32751

Florida Department of Agriculture

Bureau of Dairy Industry
3125 Conner Boulevard
Tallahassee, FL. 32399

United States Department of Agriculture

Office of Inspector General
PO Box 23399
Washington, DC 20026

Okeechobee County Sheriffs Office

504 NW 4th St
Okeechobee, FL 34972

REFERENCES

**Farm Inspection Summary
Between 10/26/2015 And 10/26/2017**

McArthur Farms, Inc. #4

Permit No.: 12-0482-FARM

Inspector: Stokes (10)

Coop-BTU: 12-610

Inspection	Date	Type	Score	Debit Nos.	Comments
CMS-2015-145	11/05/2015	RT	90	2b,3a*,6a,19c	REPEAT VIOLATION- 3a-Parlor cleanliness. Correct by 12-05-15. RVWL sent 11-13-15.
CMS-2015-167	12/22/2015	FU		3a	Follow up. All repeat violations corrected.
CMS-2016-022	02/16/2016	RT	95	12a,14e	NOTE: Clean light fixture in front of parlor, algae build up in cover.
ZC-2016-041	05/09/2016	IMS	91	5Bb,6a,19c,19h	Glycol Last Inspection 2-16-16 12a 14e 95%
CMS-2016-061	05/18/2016	RT	88	6a,9b,19c,19g	NOTE: Eliminate spiders in parlor.
CMS-2016-099	08/11/2016	RT	79	3a,6a*,7c,7d,9b,12a,12c,19c,	
CMS-2016-114	09/08/2016	FU	100		All repeat violations have been corrected.
CMS-2016-137	11/10/2016	RT	86	2b,8c,9b,18b,19c	Watch parlor cleanliness
CMS-2017-020	02/01/2017	RT	93	2b*,6a,19c*	Note: pooling water under cows. Watch parlor cleanliness, parlor pit floor under mats and under cow mats. Warning Letter Sent 2/13/17.
CMS-2017-019	02/01/2017	RT	100		
CMS-2017-040	03/09/2017	FU	100	2b,19c	All Repeat violation have been corrected.
CMS-2017-077	05/25/2017	RT	88	6a*,9b,12a,19h	Warning Letter Sent 5-26-17 NOTE Ceiling panel in parlor starting to fall again NOTE Clean ceiling light fixture cover in parlor
CMS-2017-083	06/29/2017	FU	100	6	Follow up inspection for 6a: hosepot needs to be cleaned, walls and ceiling in milkroom-corrected. All repeat violations have been corrected.
CMS-2017-099	08/17/2017	RT	91	3a,6a,15a	Note: Eliminate pooling water under CIP pump. Note: Eliminate pooling water at drain in parlor. Note: Eliminate spiders in milk room.

Average:

92.384615384615

Select Year: 2017 ▾ Go

The 2017 Florida Statutes

[Title XLVI](#)
CRIMES

[Chapter 823](#)
PUBLIC NUISANCES

[View Entire Chapter](#)

823.14 Florida Right to Farm Act.—

(1) **SHORT TITLE.**—This section shall be known and may be cited as the “Florida Right to Farm Act.”

(2) **LEGISLATIVE FINDINGS AND PURPOSE.**—The Legislature finds that agricultural production is a major contributor to the economy of the state; that agricultural lands constitute unique and irreplaceable resources of statewide importance; that the continuation of agricultural activities preserves the landscape and environmental resources of the state, contributes to the increase of tourism, and furthers the economic self-sufficiency of the people of the state; and that the encouragement, development, improvement, and preservation of agriculture will result in a general benefit to the health and welfare of the people of the state. The Legislature further finds that agricultural activities conducted on farm land in urbanizing areas are potentially subject to lawsuits based on the theory of nuisance and that these suits encourage and even force the premature removal of the farm land from agricultural use. It is the purpose of this act to protect reasonable agricultural activities conducted on farm land from nuisance suits.

(3) **DEFINITIONS.**—As used in this section:

(a) “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

(b) “Farm operation” means all conditions or activities by the owner, lessee, agent, independent contractor, and supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products and includes, but is not limited to, the marketing of produce at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, and fumes; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

(c) “Farm product” means any plant, as defined in s. 581.011, or animal or insect useful to humans and includes, but is not limited to, any product derived therefrom.

(d) “Established date of operation” means the date the farm operation commenced. If the farm operation is subsequently expanded within the original boundaries of the farm land, the established date of operation of the expansion shall also be considered as the date the original farm operation commenced. If the land boundaries of the farm are subsequently expanded, the established date of operation for each expansion is deemed to be a separate and independent established date of operation. The expanded operation shall not divest the farm operation of a previous established date of operation.

(4) **FARM OPERATION NOT TO BE OR BECOME A NUISANCE.**—

(a) No farm operation which has been in operation for 1 year or more since its established date of operation and which was not a nuisance at the time of its established date of operation shall be a public or private nuisance if the farm operation conforms to generally accepted agricultural and management practices, except that the following conditions shall constitute evidence of a nuisance:

1. The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life.
2. The presence of improperly built or improperly maintained septic tanks, water closets, or privies.

Select Year: 2017 ▼ Go

The 2017 Florida Statutes

[Title XLVI](#)
CRIMES

[Chapter 823](#)
PUBLIC NUISANCES

[View Entire Chapter](#)

823.14 Florida Right to Farm Act.—

- (1) **SHORT TITLE.**—This section shall be known and may be cited as the “Florida Right to Farm Act.”
- (2) **LEGISLATIVE FINDINGS AND PURPOSE.**—The Legislature finds that agricultural production is a major contributor to the economy of the state; that agricultural lands constitute unique and irreplaceable resources of statewide importance; that the continuation of agricultural activities preserves the landscape and environmental resources of the state, contributes to the increase of tourism, and furthers the economic self-sufficiency of the people of the state; and that the encouragement, development, improvement, and preservation of agriculture will result in a general benefit to the health and welfare of the people of the state. The Legislature further finds that agricultural activities conducted on farm land in urbanizing areas are potentially subject to lawsuits based on the theory of nuisance and that these suits encourage and even force the premature removal of the farm land from agricultural use. It is the purpose of this act to protect reasonable agricultural activities conducted on farm land from nuisance suits.
- (3) **DEFINITIONS.**—As used in this section:
- (a) “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.
- (b) “Farm operation” means all conditions or activities by the owner, lessee, agent, independent contractor, and supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products and includes, but is not limited to, the marketing of produce at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, and fumes; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.
- (c) “Farm product” means any plant, as defined in s. [581.011](#), or animal or insect useful to humans and includes, but is not limited to, any product derived therefrom.
- (d) “Established date of operation” means the date the farm operation commenced. If the farm operation is subsequently expanded within the original boundaries of the farm land, the established date of operation of the expansion shall also be considered as the date the original farm operation commenced. If the land boundaries of the farm are subsequently expanded, the established date of operation for each expansion is deemed to be a separate and independent established date of operation. The expanded operation shall not divest the farm operation of a previous established date of operation.
- (4) **FARM OPERATION NOT TO BE OR BECOME A NUISANCE.**—
- (a) No farm operation which has been in operation for 1 year or more since its established date of operation and which was not a nuisance at the time of its established date of operation shall be a public or private nuisance if the farm operation conforms to generally accepted agricultural and management practices, except that the following conditions shall constitute evidence of a nuisance:
1. The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life.
 2. The presence of improperly built or improperly maintained septic tanks, water closets, or privies.

Hurricane Irma: See the latest updates and information.

Dairy Industry Inspections

The Florida Department of Agriculture and Consumer Services (FDACS) is charged with the regulation of all dairy facilities and related operations in Florida. Our team provides oversight of all Grade "A" dairy farms, Grade "A" processing plants, single service facilities, tanker washes, bulk milk haulers, manufactured milk processing plants, dairy distribution facilities and wholesale frozen dessert and/or ice cream mix facilities.

The Grade "A" dairy program is a cooperative program with the U.S. Food and Drug Administration (FDA). FDACS and the FDA work together to ensure the safety of all dairy products produced in Florida. To ensure the program is being administered in accordance with FDA and the National Conference on Interstate Milk Shipments, FDA Regional Milk Specialists conduct routine inspections and program evaluations to evaluate the effective implementation of the Pasteurized Milk Ordinance, as adopted in Florida Administrative Code.

Contact Us

Bureau of Dairy Industry
3125 Conner Boulevard
Tallahassee, Florida 32399
(850) 245-5410
Zachary.Conlin@FreshFromFlorida.com

WORKERS

Chino - Pot Barn Employee - Belizario Kompro

Charges: stabbing cow in face with knife attached
to PVC pipe

address unknown



Mario Hernandez - Assistant Supervisor

- charges - striking cows in face with sharpened PVC pipe
- also hitting cows with PVC piping



address unknown

Jorge Fullea - Barn Supervisor
Charges - Electrical proding of downer cows



address Unknown

Roger Martinez: Birthing Barn

Charges: _____



address unknown

Daniel Torres: Caretaker

Charges: Striking cows with PVC

address unknown





Fernando Lopez : Care labor

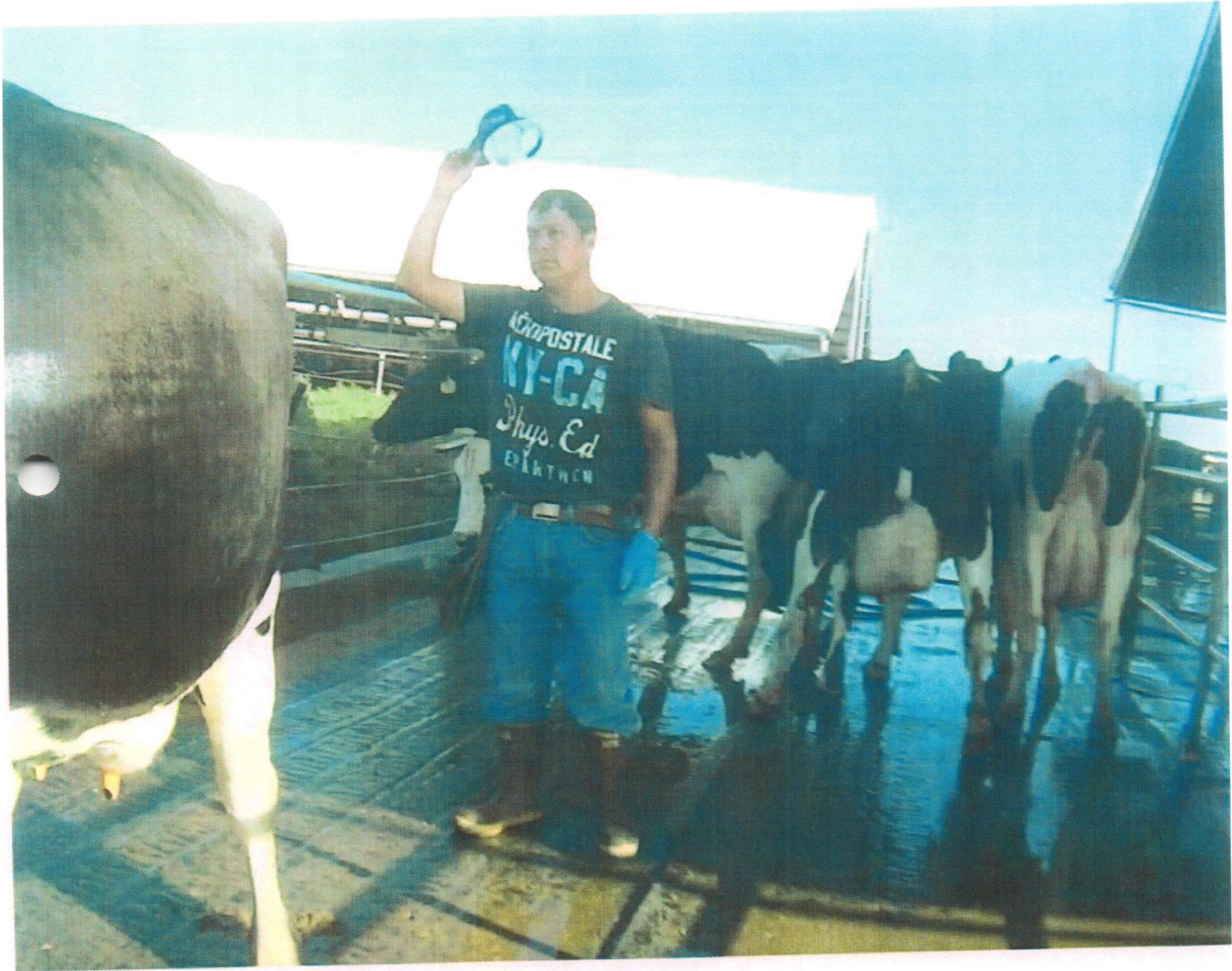
Charges : Striking cows with PVC

Breaking cows tails

Striking udder of cow & with PVC



address unknown



Roberto : Pot Barn / Bu Cow Pusher

address unknown



Dustin : Contractor who picks up dead cows

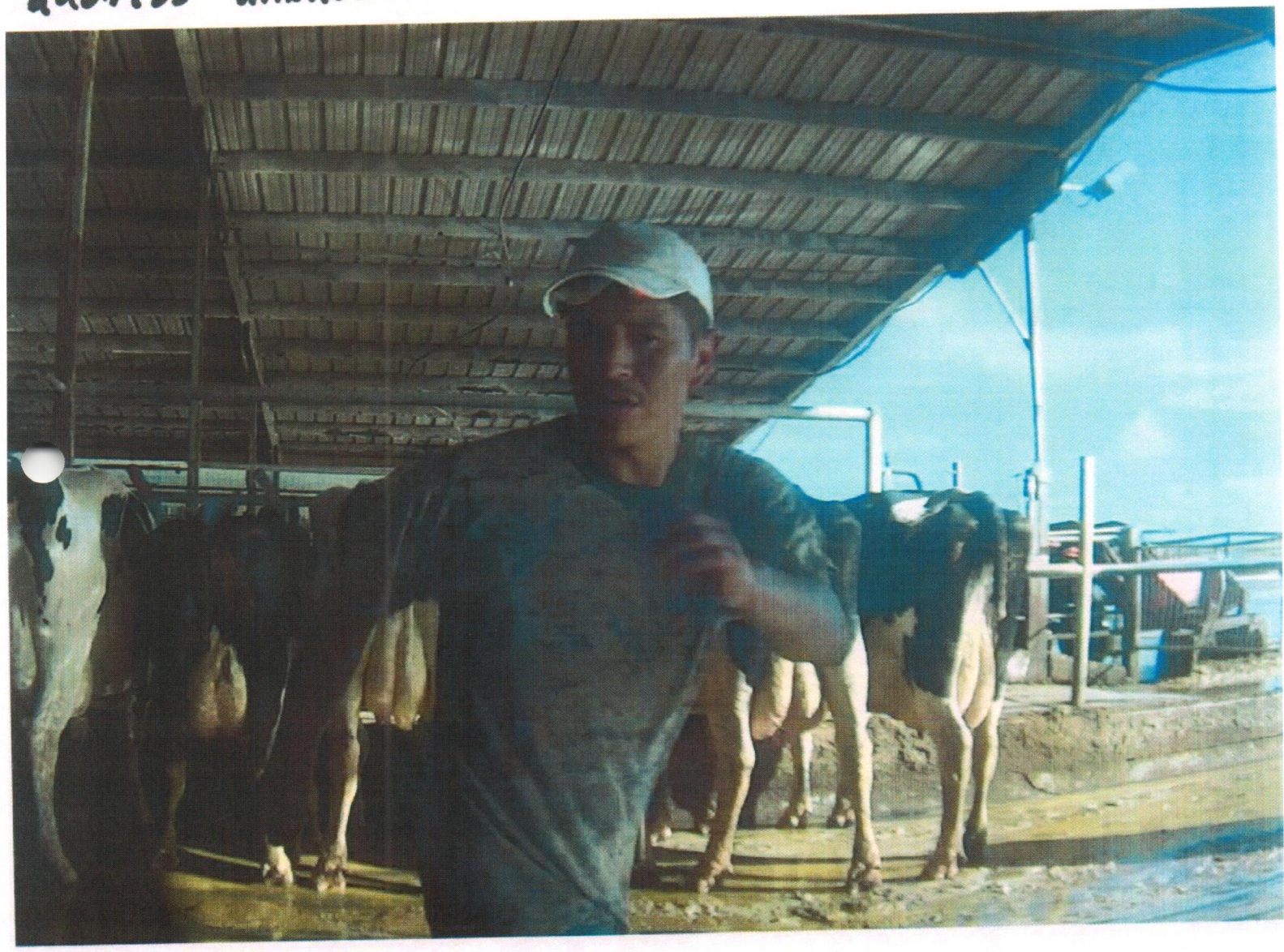
address unknown



Rigoberto Acellano: 'Tot Barn Employee

Charges: Holding flame to cow's face
Striking udder with PVC pipe

address unknown



Oscar Disuna Jr - Birthing Barn

Charges: Electric proding cows in labor

address unknown





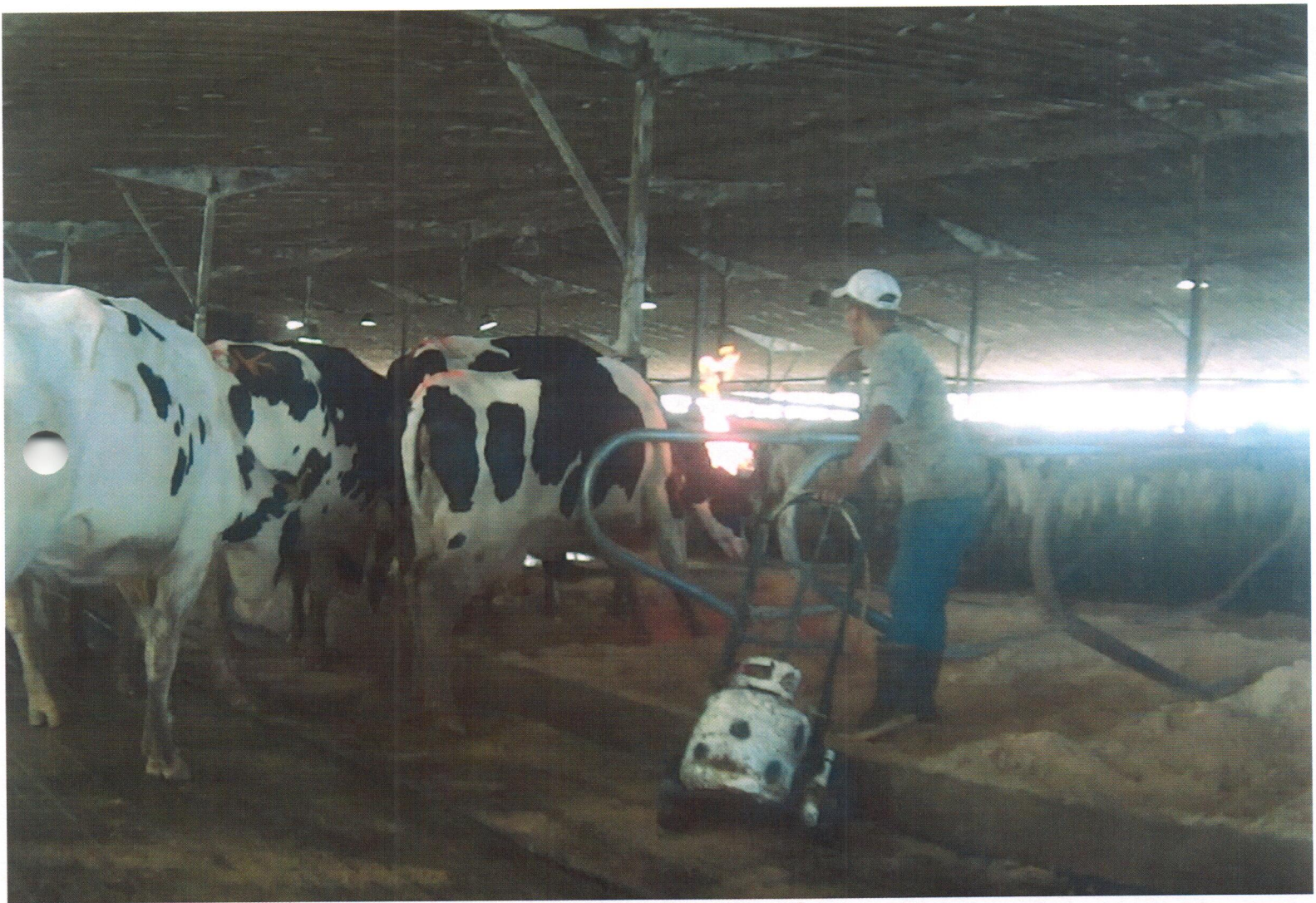
CRIMES - VIOLATIONS

Knife attached to
PVC Pipe



Cow drops after being
stabbed with knife





Flame to cows head



Striking low with Flame

Bending cows tail while
being stabbed with PVC Pipe









Striking low with
sharpened PVC
in vagina/utter



Striking cow with
sharpened PVC
in vagina/utter



Striking cow with
Sharpened PVC
in Udder



Cow still showing
signs of life



Striking cow in face
with sharpened PVC Pipe



Electrically Prodding
COW while birthing



PHOTOGRAPHS



























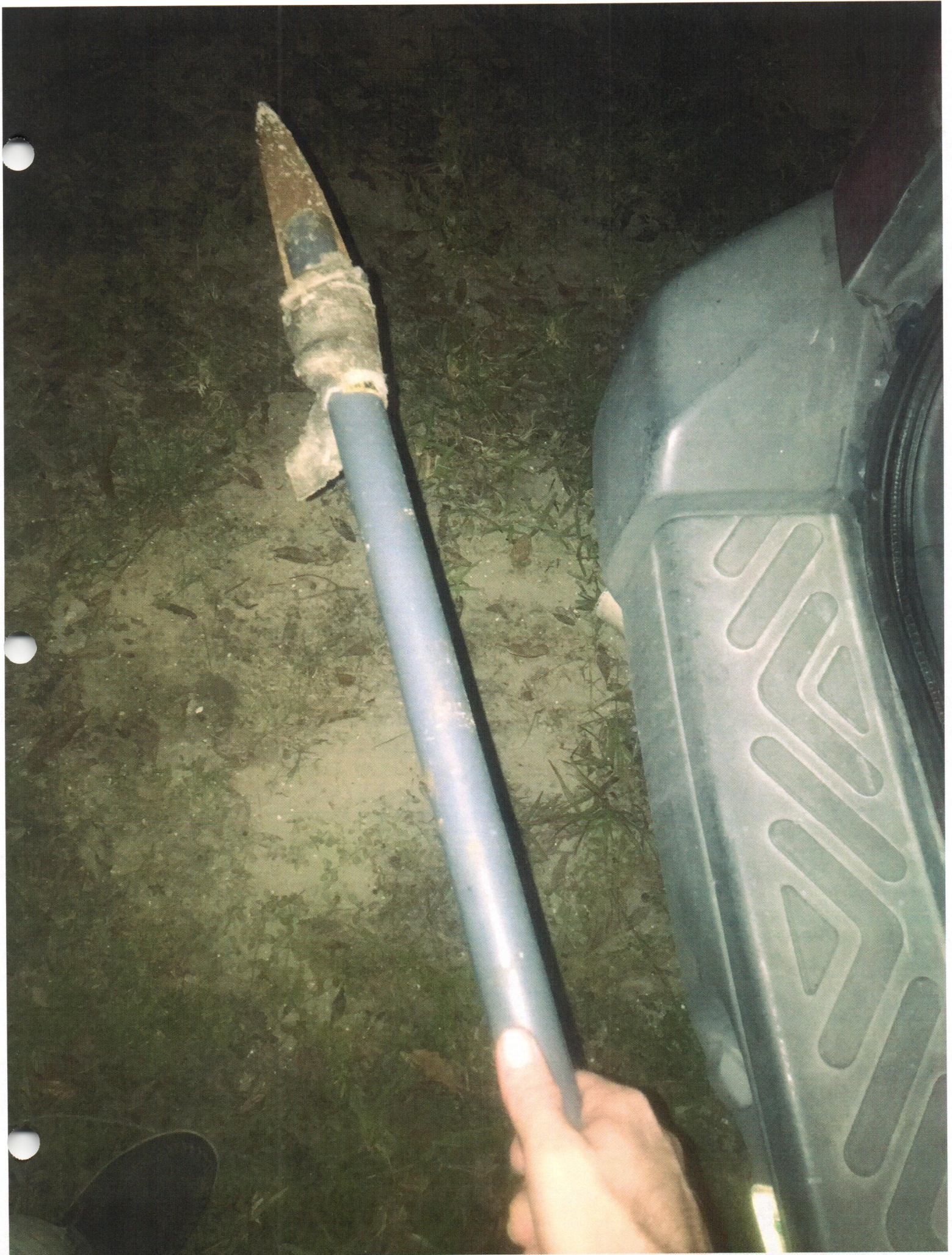
straps on back legs



















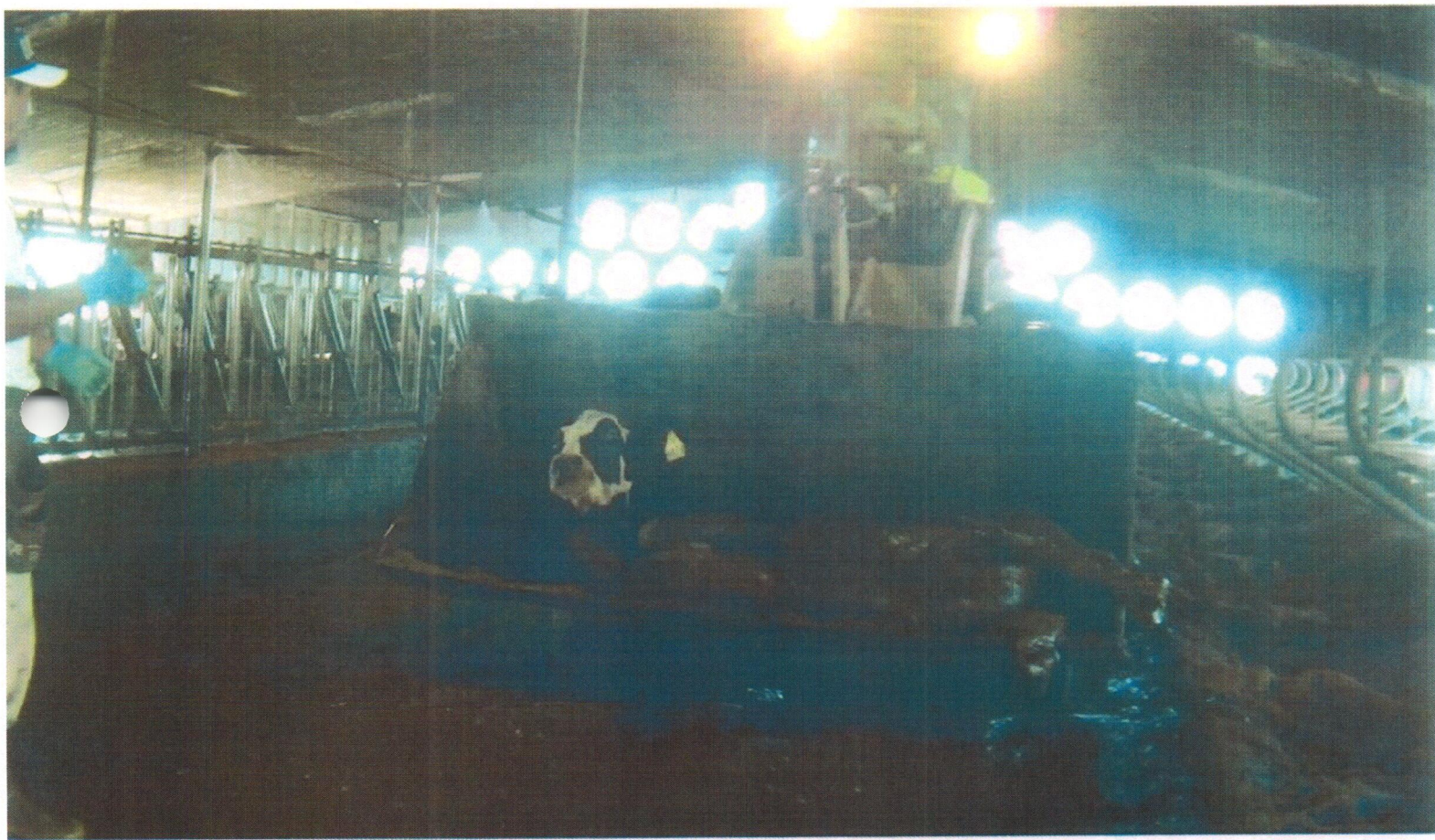




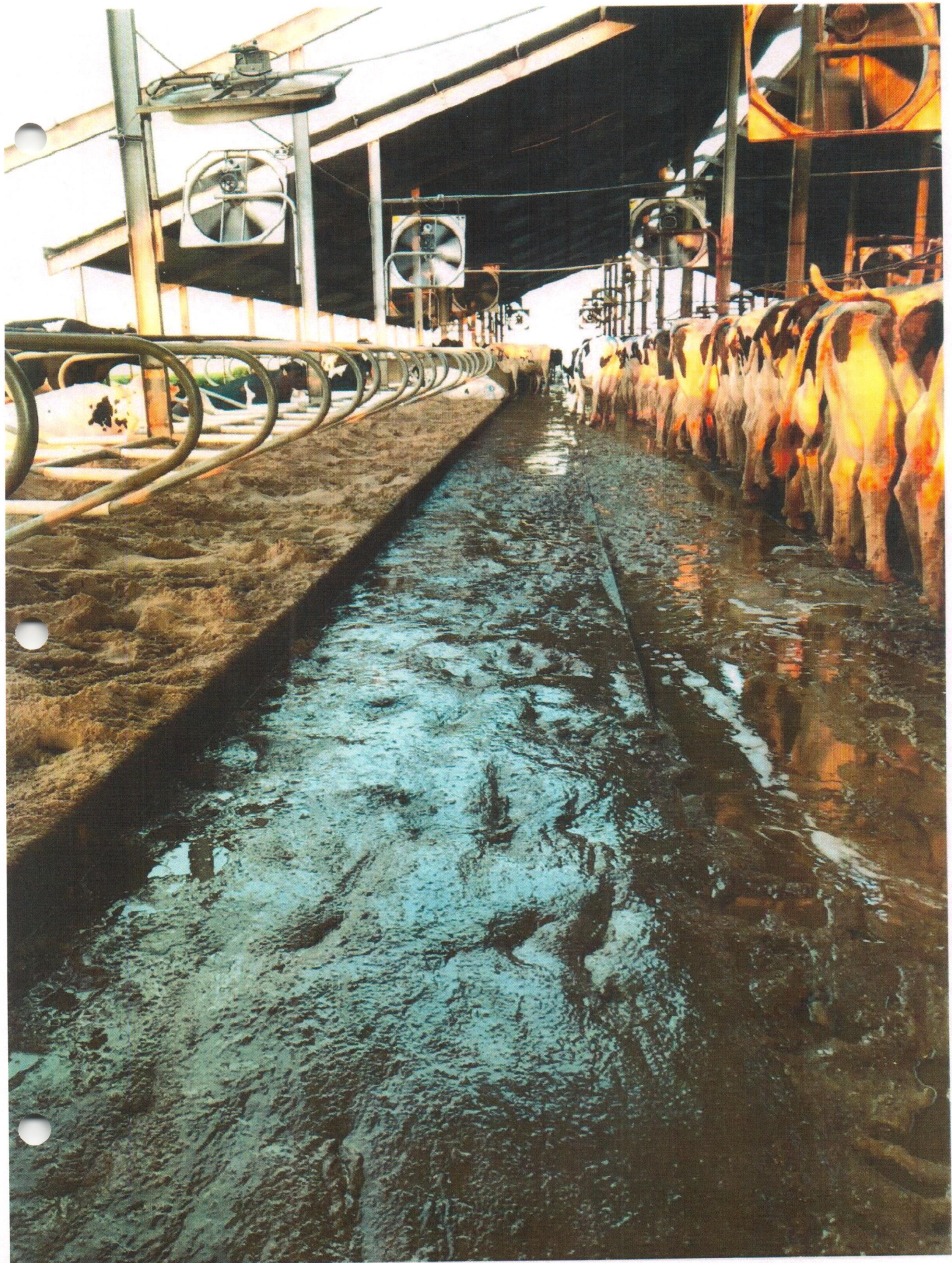














TA Taylor ARM
Call me











Publix Dairy Shelves



GROWING WITH SOUTH FLORIDA
FOR OVER 75 YEARS

McARTHUR
FARMS

FOUNDED 1929

BARN #3 763-7039

