

Ethical questions come from all directions in undercover Fair Oaks Farms videos

[Dave Bangert and Kellie Hwang](#), Lafayette Journal & Courier Published 10:45 a.m. ET June 14, 2019

Dairy farms and animal rights activists, alike, find themselves on the defensive as undercover videos stir emotions about scale, scope and treatment at big farming operations



Miami-based animal welfare group Animal Recovery Mission released another video documenting animal abuse at Fair Oaks Farms. Mykal McEldowney, IndyStar

FAIR OAKS, Ind. – In a turbulent week for Indiana's dairy industry, with undercover videos of animal abuse at Fair Oaks Farms making the rounds, David

Byers said he figured it was best to get ahead of the questions the first chance he had with Tippecanoe County's 4-Hers.

Byers, a dairy farmer in rural West Lafayette and a Tippecanoe County commissioner, had already had a week's worth of questions about his own operations and his take on the Fair Oaks Farms footage.

"I've been hammered by many people, all wanting to know about that video," said Byers, who is superintendent of Tippecanoe County's 4-H dairy program, too. "I don't have a problem telling them what I think. Is it inflammatory? I'd say so. Is it sad? I'd say so, too."



Animal rights and pro-vegan activists protest animal cruelty, the dairy industry, and Fair Oaks Farms, along West St., during a press conference held by Arm Investigations, (The Animal Recovery Mission), at the JW Marriott in Indianapolis on Wednesday, June 12, 2019. Arm has released video of alleged animal cruelty at Fair Oaks Farms. (Photo: Michelle Pemberton/IndyStar)

On Tuesday night – one week after Miami-based Animal Recovery Mission released its first video showing Fair Oaks Farms employees kicking, beating and dragging calves at the massive dairy operation an hour north of Lafayette – Byers brought in help from Purdue to talk about the video with 30-plus 4-Hers in the county's dairy club, along with their parents.

Part of the message: Be ready to handle yourselves properly when a cow or another 4-H animal won't load on a trailer the way you want them to. The bigger message: Be prepared to tell the story of dairy farming.

Fair Oaks Farms animal abuse: [As skeptics circle, ARM delivers more undercover video](#)

"We simply asked them: Has everyone see this? And, if you haven't seen it, you should see it," Byers said. "We wanted them to be ready. How to talk to individuals who are anti-(farm). How to answer questions for those who want those questions answered. ... Because, do we think it's going to flare up? I do." Since the June 4 release of the first of three Animal Recovery Mission's graphic, behind-the-scenes footage, the Fair Oaks Farms story has taken on a life of its own.



Photos from Animal Recovery Mission video released June 4, 2019 of horrific animal abuse that is occurring at the Fair Oaks Farm's Dairy Farm Adventures in Fair Oaks, Indiana. (Photo: Provided by Animal Recovery Mission)

A handful of grocery and convenience store chains have pulled Fair Oaks products, including Fairlife milk. Fair Oaks Farms founder Mike McCloskey

promised surveillance plans to protect animal welfare and prevent animal abuse he said he had no choice but to admit had happened on an operation he'd created to be a window into a model dairy farm. Calls for boycotts of the "Disneyland of agricultural tourism" met accusations of a staged animal rights hit job. And Newton County police continued to look for two of three former Fair Oak Farms employees wanted for their roles in abuse seen on the screen.

Stepping out momentarily from unrelated hearings at Newton County Superior Court on Wednesday, Newton County Prosecutor Jeff Drinski said he was amazed at the crush of attention out of the Fair Oaks Farms case, marveling that it's dwarfed coverage of a 2016 triple homicide in Sumava Resorts.

The interest and the ethical debates fueling it are only natural, said Candace Croney, director of the Center for Animal Welfare Science at Purdue University. Croney was hit up for her thoughts on the Fair Oaks Farms videos so often that, by the end of last week, she'd written a blog post on Feedstuffs, a site dedicated to animal agriculture issues.

"I was having a hard time keeping up," Croney said of dealing with questions about an episode she said left her "as shocked, sickened and saddened as everyone else."

Fair Oaks Farms animal abuse: ['Terrible judgment on my part,' founder says](#)
The title of her piece: "Falling from Grace on Animal Welfare: What Have We Learned?"

"Debates about the ethics of raising animals for food aside, I don't understand how anyone can choose to abuse animals, especially babies," Croney wrote, after disclosing that she had what she called an informal working relationship with Fair Oaks Farms personnel, mainly pertaining to the operation's Pig Adventure.

"I hate that the public's trust in animal agriculture is once again broken and that our collective efforts to support and improve animal welfare on farms have now been undermined," Croney wrote. "What can we do besides try to make sense of how something like this can happen at a venue that serves as a model farm?"

Fair Oaks Farms animal abuse: [Graphic video has tourists, customers rethinking](#)

Croney said she thought McCloskey made the right move by firing those involved and for taking responsibility for what happened on the farm. Croney said that McCloskey's plan to do better employee training, add security cameras everywhere there was human-animal interactions at Fair Oaks and to bring in

third-party auditors every two to four weeks would come down to follow through. She said she was wary if the information from the cameras and audits – both positive and negative – wasn't used for swift feedback at Fair Oaks Farms. "It's the execution that will tell the story in the long term," Croney said.

Late last week, the National Milk Producers Federation put Fair Oaks Farms on probation in its Farmers Assuring Responsible Management animal care program, a voluntary industry standard that the organization says covers dairies that produce 98 percent of the U.S. milk supply.

Since 2017, 14 participating dairies have had farms placed on probation after credible allegations of mistreatment of animals surfaced, according to Alan Bjerga, a National Milk Producers Federation spokesman.

"Through the protocol, farms are placed on probation until we have ensured through third-party auditing that necessary corrective actions are taken and fulfilled," Bjerga said. "If farms don't correct the problems identified, they are removed from the FARM program."

Bjerga did not say how long that might take. Of the 14 dairies put on probation since 2017, three remain, including Fair Oaks Farms, he said.

The Indiana Board of Animal Health continues to go through the ARM videos "to determine if there was a violation or not," according to spokeswoman Denise Derrer. She said that was going to take time. The debate wasn't waiting for official answers.



ARM Director of Investigations, Aj Garcia, holds a press conference at the JW Marriott to speak about a newly released video by Arm, showing graphic images of alleged abuse toward sick and injured cows being milked at Fair Oaks Farms, with the title "Operation Fairlife," on Wednesday, June 12, 2019. Products produced with the milk from the farm under the label Fair Life were set out during the press conference. (Photo: Michelle Pemberton/IndyStar)

Animal activists say they aren't finished

Animal Recovery Mission lists more than 35 operations on its website, including several investigations at other factory dairy farms. ARM representatives on Wednesday promised more video, even as they fended off questions about the purpose of the slow roll of undercover video.

"It should no longer be a secret that the dairy industry is one of the cruelest industries on earth exploiting animals, its workforce and the planet," said AJ Garcia, director for investigations for Animal Recovery Mission. "We can show several instances at one location, but there's hundreds if not thousands of dairy farms all across the United States, so we need to show that the cruelty happens everywhere. Not just at this one location."

More: [Milk drinker sues Fairlife, Fair Oaks Farms founders after animal abuse videos](#)

Sherri Dugger is executive director of the Indiana Farmers Union, a nonprofit organization of family farms in the state.

"If consumers are outraged by what they see in the videos, they likely would be outraged to see what happens at those operations on a daily basis," Dugger said. "They are still living in extreme confinement conditions that some consider to be industrialized torture for them. ... The larger problem is taking place with our legislative representatives who are supporting operations like that and writing policy to support those types of operations."

Doug Leman, executive director of Indiana Dairy Producers, said he was "deeply saddened and angered" by the scenes in the videos. But Leman said he stood by "over 800 Indiana dairy farm families, committed to the care of their animals." "The actions of the individuals in the video do not represent the Indiana dairy farm community," Leman said.

Breaking down the next video

Dr. Jonathan Townsend is assistant clinical professor of dairy production medicine at Purdue University, working regularly with dairy farmers and treating farm animals. Townsend, who said he has not worked with Fair Oaks Farms but has worked for farms that are members of the same milk cooperative, Select Milk

Producers, said he viewed the videos. He said the first ones, involving the calves, were unacceptable.

“There is no way that is normal behavior when you look at that,” he said. “It’s disgusting behavior that has no place on a dairy farm.”

But Townsend said the circumstances in a video posted on Wednesday, focused on handling of adult cows, were “painted inappropriately.”

“Large cows go down anywhere, and it’s hard to make that look visually appealing when you try to get them up,” he said. “There’s no easy, aesthetic way to get a 1,500- (to) 2,000-pound cow up.”

He said farm employees might need to use ropes, slings or plywood sheets to put under a cow to get her up, and this can appear negatively to anyone who isn’t aware of farming practices.



About 100 miles northwest of Indianapolis, Fair Oaks Farms brings in more than 500,000 visitors each year. Indiana's largest dairy producer, Fair Oaks is under fire after an animal welfare group exposed abuses at the farm. *(Photo: Casey Smith)*

Townsend said that a cow that just calved might have low blood calcium and be hypoglycemic, which can weaken the cow, and it can struggle returning to the milking parlor. Townsend recommends giving those cows calcium treatments and additional rest.

“Train personnel not to lose their patience,” he said. “Beating on her is not going to get her up. It takes work and good husbandry skills to get her up appropriately and gently.”

In the newest video, a worker is seen bending the tail of a cow. Townsend said this practice in the industry is called “cranking” the tails.

“It’s an acceptable way to get the cow to move forward,” he said. “Stop doing it if the cow is not moving and try to figure out another way to go. Don’t keep cranking and putting pressure or it will eventually break the tail.”

He said the tail in the video didn’t appear to be floppy or at an angle, so he didn’t think it was broken, but couldn’t be 100 percent certain.

Another part of the video showed placenta hanging from a cow. Townsend said that while it “makes for a shocking image,” it is “a totally normal thing.” He said it takes about 24 hours after a cow has given birth to shed the placenta, and Townsend said this is something you would see on farms of all sizes.

Townsend said animal rights videos like this do unfairly paint a picture of all farms, and he said if these groups wanted to help out, they would come to the farms and industry leaders directly to make changes.

“I would welcome that,” he said. “We can’t turn away from evidence of farms not treating cows the way they’re supposed to ... But I worry about animal rights group trying to end animal agriculture.”

Byers said he didn’t have a whole lot of love for Fair Oaks Farms – “At that size and scale, they’ve pushed some dairy farmers out the door,” he said – but he admitted he’d heard suggestions that the Animal Recovery Mission videos had been staged in some way.

“I can truly see what people are seeing on that video,” Byers said. “But I’ve heard stuff on the backside, too. I can’t say whether it’s true. ... The animal activists will do anything to throw something out there.”

Brad Farrer, a transport quality assurance adviser from Delphi, raised similar concerns.

“This is just a vegan group trying to put people out of business by converting them to be vegans, too,” Farrer said.

Purdue prof: 'It's a Holocaust'

Would that be a bad thing, Mark Bernstein, a philosophy professor at Purdue, asked.

Bernstein has been at Purdue for 14 years and is the Joyce and Edward E. Brewer chair of applied ethics. He teaches “Ethics and Animals,” a 200-level course that draws roughly 80 students each semester it’s offered, and has written three books on the subject.

The guiding question in his class: To what extent, if any, do we have moral obligations to non-human animals?

His take: Animals have the same rights as humans. He called the livestock industry “a Holocaust,” comparing it to genocide in Nazi Germany that took the lives of 6 million people during World War II. It’s a view he admits doesn’t go over well on many fronts and that gets challenged in and out of his classroom.



Photos from Animal Recovery Mission video released June 4, 2019 of horrific animal abuse that is occurring at the Fair Oaks Farm’s Dairy Farm Adventures in Fair Oaks, Indiana *(Photo: Provided by Animal Recovery Mission)*

“Even when I tell them that I’m nominally Jewish and that I lost relatives in the Holocaust,” Bernstein said. “Nonetheless, most people think I’m crazy – let me

be blunt. They think this is obscene. They think I'm dishonoring especially the Jews who died at the death camps. And I defend that by saying that you're supposing – incorrectly, in my view – that human life has incomparably greater value than nonhuman life.”

His takeaway from the Fair Oaks Farms videos?

“I think they should read it as an introduction to get more involved and become more knowledgeable of the bigger issue,” Bernstein said. “It happens at every large animal facility in the country. It's mind-boggling. Even if you think it's OK to, quote-unquote, humanely kill cows and pigs and chickens, there's virtually never any humane killing. Cows are getting killed, living about a quarter of their natural lifespans.”

'Hair-on-fire' reactions

Richard Goebel said he sat through some of Bernstein's classes, invited by students to listen in when he was director of Purdue's Veterinary Teaching Hospital from 1988 to 1998. The retired West Lafayette veterinarian said he perked up, again, after Bernstein repeated the Holocaust reference, this time tied to Fair Oaks Farms.

Goebel said he'd been to Fair Oaks Farms as a visitor. Goebel said that with a profit motive on the line – “The contented cow is the one that gives the most milk,” he said – it was difficult to believe McCloskey and Fair Oaks Farms knowingly would tolerate pervasive abuse.

“The productivity speaks for itself,” Goebel said.

What was on the video, particularly for the calves, “certainly was not contented and must be addressed.”

“From my perspective, it's not necessarily a bad thing that private individuals go under cover and record these kinds of events, otherwise they might never be exposed,” Goebel said. “On the other hand, once this information has been obtained, I don't see a sober and objective handling of the information. And that's what bothers me. ... Abuse has to be identified, monitored and eliminated. But the hair-on-fire sort of reaction I think is inappropriate.”

Kirsten Serrano owns Small Wonder Food, a Lafayette nutrition consulting business that includes a focus on local food sources. She said she questions whether the gut reaction to the videos will translate into consumer changes. “I see consumers consistently shopping based on convenience,” Serrano said. “The utopian pastoral ideal – and low, low prices – we want to be true is not

consistent with that convenience. When you pull the curtain back on big ag, it is often a ghastly sight. So, I hope the outrage I see about the situation at Fair Oaks is actually turned into action on the part of consumers. Asking big ag to do better is great, but making informed, conscious choices about where your food dollar goes is a more powerful and transformative choice.”

Does she believe it will work?

“Of course not,” Serrano said. “I think people will be outraged and then get fast food.”

Croney said she heard, and understood, the sense of violation coming from the farming community over the videos, too. She cautioned against ignoring the consumer anger.

“While we all need to open to the facts as they unfold, if what we want to do is send a strong message to the public that our priority is on animal welfare, then the conversation we need to be having is about the welfare of those animals and how we protect it in our individual lives and in our individual operations,” Croney said.

“Because we can all learn something from this scenario,” Croney said. “And that something should not be: The problem here is the undercover videos. The problem is: We have people on farms who are hurting animals. And that’s beside the debate about whether you should be raising animals for food and whether anyone do that at any scale of operation.”