# Fairlife — the popular milk brand — and its many animal welfare investigation scandals, explained

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<u>Kenny Torrella</u> is a senior reporter for Vox's Future Perfect section, with a focus on animal welfare and the future of meat.

You don't need me to tell you that the US is in the midst of an <u>obsession with protein</u>. By now, you've probably seen extra protein in foods and beverages it once didn't belong: ice cream, popcorn, <u>iced tea</u> — even <u>water</u>. <u>Google searches for "protein"</u> have surged in recent years, and the macronutrient seems to be on the tip of every fitness influencers' tongue.

But the impact of the protein craze goes beyond snacks and social media. It helped the meat industry achieve record sales in 2024, and it likely contributed to a surprising change in American eating habits: Last year, for the first time in 15 years, consumers increased their cow's milk consumption.

Perhaps no company has both benefited from and accelerated these converging trends more than Fairlife, the Coca-Cola-owned milk brand that contains zero lactose and boasts 50 percent more protein and 50 percent less sugar than regular milk. That unique nutritional profile, achieved through a patented "ultra-filtration" process, has helped turn Fairlife into a <u>billion-dollar business</u> in under a decade, <u>ranking second</u> in name-brand refrigerated milk sales last year.



Fairlife milk has less sugar and more protein than regular cow's milk, and zero lactose. Roberto Machado Noa/LightRocket via Getty Images

"There's this obsession with protein [among] young men right now that's just been blockbuster to" Fairlife, agriculture researcher <u>Austin Frerick</u>, author of <u>Barons: Money, Power, and the Corruption of America's Food Industry</u>, told me. The company's success has been a <u>godsend for Coca-Cola</u>, which became Fairlife's sole owner in 2020; it's now the beverage giant's fastest-growing US brand.

Fairlife has distinguished itself not just with its high protein content, but also by claiming that its milk is higher quality than its competitors, its cows are treated humanely, and its farms are environmentally sustainable. "Believe in better," reads one of the company's taglines.

That feel-good story has earned Fairlife's husband-and-wife co-founders Mike and Sue McCloskey glowing profiles in <u>Food & Wine</u>, <u>NPR</u>, and <u>Fortune</u>, along with invitations to speak at conferences held by South by Southwest, Yale, Fast Company, and TEDx.



Sue McCloskey, a co-founder of Fairlife and Select Milk Producers, at Fair Oaks Farms. Michael Conroy/Associated Press

But it's a story that has, in recent years, increasingly collided with reality. In 2019, an undercover investigation by the nonprofit Animal Recovery Mission (ARM) at the McCloskeys' flagship farm in Indiana, a supplier to Fairlife at the time, revealed horrific animal abuse: employees kicking calves in the head, hitting them with steel rods, and slamming them to the ground, among many other cruelties.

Soon after, the McCloskeys apologized. But since then, ARM has released <u>several additional</u> <u>stomach-wrenching investigations</u> into dairy farms that belong to Select Milk Producers — a cooperative, also co-founded by the McCloskeys, of some 100 dairy farms that helped launch Fairlife and supply milk to it.

The latest investigation, released in late June, recorded workers at a <u>New Mexico dairy</u> <u>hitting cows in the head</u> with a metal pipe, kicking them in the face and body, dragging newborn calves and adult cows in the dirt with a tractor, and numerous other instances of abuse.

Fairlife told Vox it hasn't sourced milk from that farm since 2023, but ARM's investigator shared evidence to the contrary. Additionally, in a class action lawsuit filed earlier this year against Fairlife, Coca-Cola, the McCloskeys, and Select Milk Producers, a group of consumers accuse Fairlife of deceiving customers with claims of humane animal treatment, and allege that the New Mexico dairy farm did supply Fairlife at the time of the investigation.

Fairlife is far from alone. Farmed animals are largely exempt from federal and state animal cruelty laws, so industry welfare standards are incredibly low, and dairy producers are effectively left to police themselves. Past investigations alleging horrific abuse are legion across the dairy industry, including at dairy farms that have supplied to <a href="Burger King">Burger King</a>, <a href="Domino's">Domino's</a>, <a href="Land O'Lakes">Land O'Lakes</a>, <a href="Nestlé">Nestlé</a>, <a href="Cabot Creamery">Cabot Creamery</a>, and other leading food brands.

Between the early 2000s and the mid 2010s, many of these investigations became high-profile news stories. The livestock industry reacted by <u>advocating for laws not to criminalize animal abuse</u>, but to criminalize the investigators who videotaped the abuse. The McCloskeys had a different strategy: They capitalized on this era of heightened concern around animal cruelty by promising transparency and humane treatment of their animals.

ARM's slate of investigations have consistently undermined that narrative. But Fairlife has thrived in spite of it all, revealing the consequences of consumers' willingness to believe a good story — or ignore a bad one — in the pursuit of ever-more protein.

# The "terrifying" treatment of cows at an alleged Fairlife milk supplier

Last Christmas Eve, a man who had worked on dairy farms for 17 years started his first shift at a large industrial dairy operation, called Woodcrest Dairy, in the New Mexico desert. But there was something that set him apart from his coworkers: He was wearing a hidden camera.

Years prior, he had been a worker at a Fairlife supplier farm that ARM investigated for alleged animal abuse. Disturbed by their findings, the worker reached out to the organization and eventually became an ARM investigator himself.

While employed at Woodcrest Dairy for 10 weeks, through early March of this year, he <u>caught dozens of acts of animal abuse on camera</u>, including workers:

- Kicking cows in the face and body
- Forcefully jamming a pill gun, a metal rod used to administer medication, down a cow's throat

- Hitting cows in the head with a metal pipe and large wrench (according to the investigator, this was done to some cows just after they had given birth)
- Inserting a clamp into a cows' nose and yanking on it, causing her to bellow in pain
- Repeatedly smacking a cow in the face with a rope
- Dragging newborn calves and adult cows in the dirt with a tractor

In an interview with Vox conducted via a translator, the investigator, who requested anonymity due to the covert nature of undercover investigations, described the treatment of cows at Woodcrest Dairy as "terrifying" and said that the owner and managers witnessed it. "They only care about the money," he said. "There's no care about the animals."

"The actions observed in the video are cruel and reprehensible," <u>Jim Reynolds</u>, a veterinarian and professor emeritus of large animal medicine and welfare at Western University of Health Sciences, told me in an email. "The abusive and cruel actions seen in the video represent serious problems in management of the dairy."



The workers' aggressive calf delivery method leaves behind a pool of blood. Animal Recovery Mission



A worker kicks a restrained cow in the head numerous times. Animal Recovery Mission

Beyond the most blatant cruelty, the investigator documented other animal welfare problems, like "downer" cows — cows unable to stand or walk on their own, often due to <u>disease</u>, <u>metabolic issues</u>, <u>or post-birth pain</u>. Some were lifted with a hip clamp that was placed on their bodies and attached to a tractor; one cow was dragged through the dirt while attached to the tractor. Another cow had a band wrapped around her hind legs to keep them from splaying.

Because cows, like all mammals, need to give birth to produce milk, <u>dairy farms revolve</u> <u>around continual pregnancies and births</u>, which is immensely taxing on their bodies. The investigator documented numerous instances of workers doing something during the birthing process he had never seen: tying a chain to the legs of baby calves while they were still in their mothers' birth canals, and then jumping on it to pop the calf out. In one scene, the cow bellows in pain and the calf is partly covered in blood.

"The cow and calf both definitely suffered from this mistreatment," Reynolds wrote to me about this part of the investigation. "The actions seen tell us the employees are not trained appropriately for delivering calves, they have not been provided appropriate equipment, and they are not managed appropriately."

Fairlife declined an interview request for this story. In an email to Vox, the company said it stopped sourcing milk from Woodcrest Dairy in 2023. However, ARM's investigator, in a videotaped conversation shared with Vox, asked a truck driver transporting milk from the farm in January if he was taking the milk to a nearby Fairlife plant. The driver answered yes, specifying that they bring milk to the Fairlife plant three times a day.

### What's wrong with dairy?

The livestock industry — not just Fairlife — has long <u>portrayed dairy as an essential</u>, <u>wholesome product</u> from cows who just happen to be producing milk on quaint, green pastures. But cows on dairy farms, even when they're not overtly abused like those seen in undercover investigations into Fairlife, still face <u>severe welfare issues</u> because of the very nature of dairy production.

Today's cows have been bred to produce far more milk than they naturally would, which greatly taxes their bodies. They're (artificially) impregnated each year — another physical stressor — to induce milk production. After they give birth, their calves are quickly taken away so that humans can take their mothers' milk.

Newborn calves are then confined alone in tiny hutches. Females go on to become dairy cows once they're sexually mature, while the male calves are dehorned and castrated — often without pain relief — and sold off to become veal or beef.

Most dairy cows have little to no access to pasture and spend their lives confined indoors or on dirt feedlots. Naturally, they might live to 15 to 20 years of age, but by 5 or 6 years old, when bodies give out and their milk yield wanes, they're sent off to slaughter. Many of these practices have become standard on dairy farms of all sizes — not just on mega dairies. It's a reality far different from what consumers often see <u>in advertisements and on milk bottles</u>.

Woodcrest Dairy has since closed down and couldn't be reached for comment. Select Milk Producers, the cooperative that Woodcrest belonged to, told Vox in an email that "animal care is a core value" at the cooperative, and that it investigates "any report of inappropriate animal care." (Select Milk confirmed to me that Woodcrest has shut down.)

As recently as this March, <u>Select Milk Producers' website</u> stated that the "highly nutritious milk products of fairlife come from the 99 family owned dairies of Select Milk Producers." That web page has since been taken down.

The Woodcrest Dairy findings were the latest in a string of similar recent investigations. Earlier this year, after ARM released disturbing videos showing <u>animal cruelty at two Arizona dairy farms</u> that supplied Fairlife, the company said it had immediately suspended ties with the farms. But weeks later, investigators from the group Consumer Protection Foundation,

separate from ARM, <u>followed milk being trucked</u> from the Arizona farms to a processing plant run by United Dairymen of Arizona (a cooperative that Fairlife sources some of its Arizona milk from), and then to a Fairlife plant. Fairlife told Vox in an email that it did not resume sourcing milk from these farms.

And in 2023, ARM released a shocking <u>investigation into an Indiana dairy operation</u> that ARM says belongs to the Select Milk Producers cooperative (SMP didn't reply to a question about whether the farm is currently a cooperative member, and the farm couldn't be reached for comment).

Videos from the investigation show workers hitting cows with screwdrivers, knives, and sawed-off golf clubs, and in one scene, a worker takes a rod with a huge flame at the end and brushes it against cows' legs as they're being milked. At one point in the video, the ARM investigator asks a manager about a dairy cow he had just shot: "Do you feel remorse for killing her?" The manager replies, "No! It's why I live in this country, so I can kill these asshole cows."

Fairlife denied sourcing milk from the operation. Soon after, ARM followed milk trucks from the facility to a Fairlife processing plant in Michigan. ARM also recorded a conversation with a milk truck driver who said he took milk from the farm to the Fairlife processing plant. Fairlife stated that it had been considering bringing on the farm as a supplier and that the milk shipment ARM observed was simply a test run that was subsequently dumped and never entered Fairlife's supply chain.

The class action lawsuit filed earlier this year accuses Fairlife of lying about its relationship with the Arizona, Indiana, and New Mexico farms. "This conduct constitutes bad faith, collusion, deception, and fraud," the lawsuit states.

ARM has asked the US Department of Agriculture and state agriculture departments to take a deeper look into Fairlife's supply chain and the pattern of animal cruelty, but no such inquiry has ever been taken up, according to <u>Richard Couto</u>, ARM's founder and CEO.

Federal and state agriculture agencies are "out to protect industry and dollars," Couto told me. "They're not out to protect the animal."

# Fairlife became a rare success story in dairy — built on promises of doing better

Animal Recovery Mission's first <u>investigation into a Fairlife supplier</u>, released in 2019, has since been viewed over 19 million times — more than perhaps any other farm animal cruelty video in history. It garnered widespread news coverage, and several Midwest grocery chains <u>temporarily pulled Fairlife bottles</u> from their shelves. Fans posted videos of themselves pouring Fairlife down the drain, vowing to never buy the product again.

By 2022, Coca-Cola, the McCloskeys, their farm business, and Select Milk Producers settled a <u>\$21 million class action lawsuit</u> (separate from the one filed earlier this year) alleging the companies had falsely advertised their milk as coming from humanely treated cows.

That wasn't how it was all supposed to turn out.

In the early 1990s, the McCloskeys — who at the time owned a large dairy farm in New Mexico — launched the cooperative Select Milk Producers, differentiated by a <u>promise of increased transparency</u> and higher standards that led to <u>healthier cows and cleaner milk</u>.

A few years later, they moved to Indiana and opened Fair Oaks Farms, which is now one of the country's largest dairy operations, with an eye-popping 36,000 cows — what's considered a <u>mega dairy</u>. At the time, industrial animal agriculture was under increasing scrutiny as investigations into factory farms by animal rights groups gained media attention. Rather than hunker down and ignore Big Ag's negative publicity, the McCloskeys saw a business opportunity in transparency — or at least their version of it.

In 2004, the McCloskeys expanded Fair Oaks Farms to become what's been called an <u>agricultural Disneyland</u> — a farm-meets-theme park tourist attraction that draws more than 100,000 visitors annually.

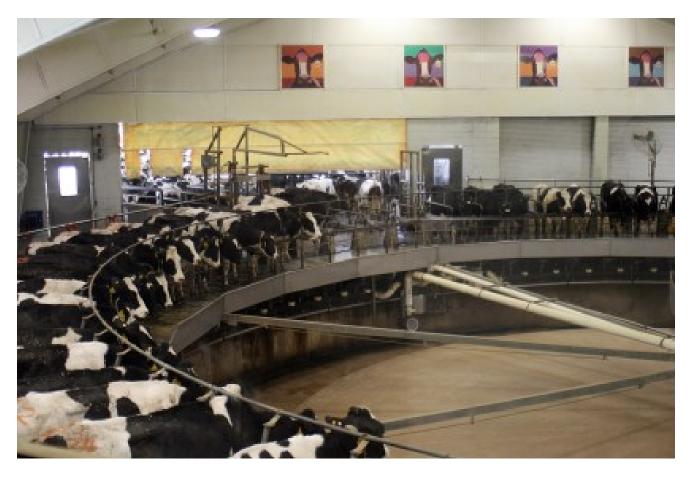
"The farm was founded out of necessity to counter the very loud, very well-funded, and often, very misleading voices against modern farming and animal agriculture," Sue McCloskey told Food & Wine in 2018.

Today, visitors can take a <u>sanitized tour of Fair Oaks's dairy and pig operations</u>. The programming "attempts to make the public comfortable with the factory farm," <u>Jan Dutkiewicz</u>, a Vox contributor and assistant professor of political science at the Pratt Institute who went on the tour, wrote in 2018. Fair Oaks, he added, deploys a "selective transparency that seems to perform radical revelation — even as it hides overt and structural forms of violence against animals."

There are also interactive dairy, pork, and crop museums, a 25-foot tall rock climbing wall in the shape of a milk bottle called "Udder Heights," and a "Legen-Dairy Drop MegaSlide," two on-site restaurants, and a Marriott hotel.



Visitors to the Fair Oaks Farm's Pig Adventure exhibit look out over the sows barn. *John Luke/The Times/Associated Press* 



Dairy cows riding a rotating milking machine at Fair Oaks Farms.

M.L. Johnson/Associated Press

Throughout their time at Fair Oaks Farms, visitors are inundated with messages that modern animal agriculture is sustainable and humane. "At Fair Oaks, Mike is essentially able to create a new reality," Frerick, the ag researcher and author, said in <u>The Price of Milk</u>, a new documentary series on the dairy industry. "They built one of the most popular tourist attractions in the state of Indiana, full of propaganda, to refute claims that industrial animal operations (<u>CAFOs</u>) were cruel," he told me in an email.

Yet the McCloskeys' claims about what separates their farms and businesses from typical dairy factory farms have always been scant on specifics.

For example, Mike McCloskey has <u>told NPR</u> that the fact that he's fluent in Spanish has enabled him to better communicate with his largely Spanish-speaking workforce, which has resulted in better care for animals. Select Milk Producers's website mentions its adherence to voluntary animal welfare guidelines that were developed by dairy industry groups, which largely mirror standard industry practices.

Fair Oaks Farms did not respond to multiple requests for comment for this story.

"This is just the one classic textbook example of why self-policing just fails. How can you even take the company at their word now to do better?"

— Austin Frerick, agriculture researcher and author

After Fair Oaks Farms came Fairlife. In 2012, the McCloskeys, through Select Milk Producers, developed a partnership with Coca-Cola to distribute Core Power, a milk-based protein shake made using their ultra-filtration process to enhance the drink's protein content. Two years later, Select Milk Producers and Coca-Cola launched the Fairlife brand.

Their timing was perfect. The protein craze was gaining steam, while cruelty investigations into factory farms had become a frequent news story. Fairlife promised consumers everything: a low-sugar, lactose-free, high-protein milk beverage with a humane and sustainable sheen. Coca-Cola's market dominance helped get Fairlife drinks into 76,000 US retail outlets by 2017.

The company took off, and the McCloskeys became a positive story in an otherwise struggling industry: Over the last 80 years per capita fluid milk consumption in the US has declined dramatically, and hundreds of thousands of small- and mid-sized dairies went under. Large dairy producers like the McCloskeys were well-positioned to benefit from the industry's structural problems.

In the years that followed, Mike McCloskey landed on President Donald Trump's short list for agriculture secretary. Sue, meanwhile, was busy on the conference and media circuit, where she frequently, and lovingly, referred to the couple's cows as "our girls."

"There's a degree of business brilliance to them that you have to admire," Frerick said. Neither of the McCloskeys came from a big farm family, yet their business savvy, political connections, and marketing prowess, he said, has made them "unquestionably the most powerful dairy farmers in America in a lifetime."

# We've become numb to Fairlife's animal cruelty scandals

It wasn't long before Animal Recovery Mission's first investigation revealed how the "girls" were treated in the McCloskeys' dairy empire.

Following ARM's first investigation in 2019, Mike McCloskey released an apology video, saying that Fairlife doesn't tolerate animal abuse and would clean up its supply chain. Yet ever since, Animal Recovery Mission continued to release new investigations into Fairlife suppliers and Select Milk Producers members at a regular clip, each with similarly disturbing findings.

Along the way, Fairlife removed humane care claims from its bottles, and earlier this year, it took down a lengthy yet vague web page <u>about its animal welfare commitments</u>.

Of course, no one at the top of these companies actively *wants* animals to be abused, but the continued investigations reflect a structural reality of animal agriculture: Mass producing cheap animal products is all but impossible to do humanely. Dozens of investigations into the

US meat, milk, and egg industries have revealed that the constantly growing demand for cheap animal products — combined with virtually <u>zero legal protections for farmed animals</u> and <u>captured regulatory agencies</u> — means that efficiency and profit are almost always prioritized over animal welfare.

"This is just the one classic textbook example of why self-policing just fails," Frerick said. "How can you even take the company at their word now to do better?" The story here, he added, "is the failure of regulators."

Through it all, Select Milk Producers and the McCloskeys have continued to prosper. All told, Coca-Cola spent <u>\$7.4 billion to acquire Fairlife</u>, Bloomberg reported earlier this year.

And the public shock and disgust that followed the first investigation into Fairlife six years ago has since largely faded into the background, while the brand just gets more and more popular.

"The scariest thing from all these animal abuse scandals is it feels like that, with each additional scandal, the tension goes down," Frerick said. "This abuse is becoming seemingly a fact of life. I think that's kind of an unsaid strategy of Fairlife — it's just to ride it out so [people] become numb to it."

Fairlife, after all, has always managed to effectively foresee and meet the cultural moment. It's now reaping the financial rewards of a protein fad that it anticipated long before its competitors. And although the McCloskeys once promised that a bottle of Fairlife came from humanely raised cows at a time when animal welfare concerns were particularly salient, the company has appeared just as happy to quietly shed its commitments to animal welfare when they were no longer convenient.

But Couto said Animal Recovery Mission isn't going away. "ARM is such a thorn in Coca-Cola's side," he told me, "because we're never going to stop investigating."

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