



Higher-Welfare Transport Safeguards Public Health, Workers, and Animals

What Is the Twenty-Eight Hour Law?¹

The Twenty-Eight Hour Law, first enacted by Congress in 1873, limits the time that certain animals raised for food can be transported over land and across state lines in the U.S. With some major exceptions, the law requires that these animals be given five consecutive hours of rest—along with food and water—if they are transported for more than 28 consecutive hours.

Laws regulating farmed animal transport are important because long travel times and unsafe and unsanitary travel conditions endanger public health, workers, and animals.

Long-Haul Animal Transport Is a Public Health Hazard

During transport, animals are kept in cramped, unsanitary conditions for long periods, which can promote the rapid spread of pathogens. These harsh conditions also increase the animals' stress levels, which can in turn increase their susceptibility to infection and trigger diarrheal and respiratory illness. Dangerous viruses like avian and swine flu transmit easily among animals in such conditions. In 2022, a massive outbreak of avian flu among farmed chickens resulted in the deaths of 43 million laying hens due to illness and depopulation.

Disease outbreaks in animals can frequently spread to people. Workers who handle infected animals are the most vulnerable, but no person is entirely safe. For example, the Centers for Disease Control and Prevention reports that about 10% of swine flu infections in humans since 2010 have been among people who have had no direct contact with pigs. The last swine flu pandemic in 2009 killed between 151,700 and 575,400 people. Furthermore, three in four new or emerging infectious diseases in humans come from nonhuman animals, and all major human flu pandemics can be traced back to animal—usually avian—origins. Reducing transport times, providing species-appropriate spacing, and addressing animals' basic needs during transport would mitigate the risk of infection and disease transmission.



¹ Full citations available upon request.

Animals Suffer and Die During Long Transport

Billions of farmed animals are transported from farms to slaughterhouses each year, during which they are largely deprived of food, water, rest, bedding, and protection from the elements. The journey can take several hours, even days, which means animals are trapped for extended periods in overcrowded, filthy, poorly ventilated vehicles, often unable to rest due to the stressful conditions. These vehicles are neither climate-controlled nor designed to protect animals from harsh weather or injury. Temperatures inside can reach extreme lows and highs, resulting in animals freezing to death or dying from heat stress. Additionally, many animals suffer injury or die in traffic accidents when transport trucks flip over or slide off the road. Because of the many safety and welfare threats en route, more than 20 million animals die during transport per year in the U.S.

The Twenty-Eight Hour Law Is Outdated and Rarely Enforced

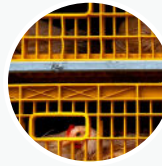
The Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (USDA) is charged with enforcing the law, with assistance from the Department of Transportation and the Department of Justice (DOJ). Those found to be in violation of the law can face a civil penalty of \$100 to \$500. But as the law has barely been updated over the past century and a half, it does not meet current needs. Written when most long-distance land transport was by rail, the law was not originally intended to apply to road transport, which has by far been the dominant form of live animal transport since the 1960s. It took the USDA until 2006 (upon sustained pressure from stakeholders) to clarify that the law should also apply to road vehicles, but it did not take further action to update its regulatory framework, and no mechanism is in place to monitor truck transport. Over the past several decades, the law has rarely, if ever, been enforced despite repeated attempts by interest groups to encourage the USDA to strengthen its oversight. Even in the rare instances when the USDA has noted a violation, it has repeatedly failed to refer them to the DOJ, and no penalties have ensued.



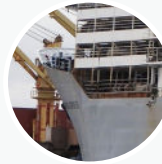
The Twenty-Eight Hour Law Fails to Adequately Regulate Farmed Animal Transport

Regarding the types of animals covered, the Twenty-Eight Hour Law's scope is very narrow, including only cows, pigs, sheep, mules, and horses.

The following are not covered by the law:



Species comprising billions of transported farmed animals, such as chickens, turkeys, goats, and fish



Transport over air or water



Transport to other countries



Transport longer than 28 hours when the animals cannot be unloaded due to "accidental" or "unavoidable" causes



Transport when the animals are given food, water, and rest en route without stopping

The law also allows animals to be confined for more than 28 hours in some contexts. Sheep can be confined for an additional eight hours (36 total) if their period of confinement ends at night, and all animals can be confined for an additional eight hours (36 total) if requested in writing.