



April 2, 2021

Senate Committee on Natural Resources  
and Wildfire Recovery  
900 Court St. NE  
Salem, OR 97301

**Re: Support for Senate Bill 832**

Dear Chair Golden, Vice Chair Heard, and members of the Committee,

On behalf of the Center for Biological Diversity and our over 1.7 million members and supporters, including over 30,000 in Oregon, we respectfully submit the following testimony in **support of Senate Bill 832.**

The Center is a nonprofit conservation organization dedicated to the protection of wildlife and plants hovering on the brink of extinction, the clean air and water they need to survive, and the health and welfare of generations to come. In furtherance of that mission, the Center advocates against unsustainable industrial agricultural practices that contribute to the wildlife extinction crisis, and for sustainable agricultural solutions. The Center is a national organization with one of our largest offices located in Portland, and many of the Pacific Northwest species that we advocate for, including wild American mink, federally-protected Humboldt martens, state-protected wolverines, Pacific fishers, ermines, long-tailed weasels, American badgers, and river otters, are put at risk by the continued operation of commercial mink farms in the state.

Since COVID-19 was declared a pandemic in early 2020, commercial mink farming operations have established themselves internationally as being uniquely vulnerable to spreading the virus across mink and human populations, from captive mink to captive mink, and from captive mink to wild mink. Outside of the U.S., millions of commercially farmed mink have died or been preemptively culled on nearly 400 commercial mink farming operations across Denmark, the Netherlands, Sweden, Lithuania, Greece, Italy, France, Spain, and Canada.<sup>1</sup> In the U.S., commercial mink farming operations have seen at least 16 outbreaks since August: 12 in Utah, two in Wisconsin, and one each in Oregon and Michigan.<sup>2</sup> In both Utah and Oregon, mink captured in the wild have tested positive for SARS-CoV-2.<sup>3</sup> In Oregon, the two infected mink

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<sup>1</sup> Kate Golden, *The Wild World of Mink and Coronavirus*, Sierra (Jan. 7, 2021), <https://www.sierraclub.org/sierra/wild-world-mink-and-coronavirus>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*; Oregon Department of Agriculture, Tests at an Oregon Mink Farm Show SARS-CoV-2 Still Present with No Virus Mutations; Testing, Surveillance, and Trapping Continues (Jan. 12, 2021), <https://content.govdelivery.com/accounts/ORODA/bulletins/2b626a7>.

captured in the wild are believed to have been commercially-raised mink that had recently escaped from a nearby infected mink farming operation (as well as a third mink captured at the same time that was additionally believed to have escaped from the same operation, but did not test positive for the virus);<sup>4</sup> the infected mink trapped in Utah, however, is believed to have been the first wild mink to have caught the virus, in this case from a nearby commercial mink farming operation.<sup>5</sup>

According to a report released earlier this week from the World Health Organization (WHO), wildlife exploitation—including through the farming of wild animals, particularly mink, for their fur—presents significant global and local risks for the current and future spread of zoonotic diseases such as COVID-19. Specifically, as that report details, “[e]vidence from surveys and targeted studies so far have found most highly related viruses in bats and pangolins, suggesting they may be the reservoir of SARS-CoV-2 according to the high sequence similarity between the sampled viruses and SARS-CoV-2 . . . . In addition to these findings, the high susceptibility of mink and cats suggests the potential of additional species of animals (belonging to the mustelid or felid family, as well as other species) as potential reservoirs” for the disease.<sup>6</sup> Even further, “[s]pillover of viruses from animals [including farmed mink] to humans can occur through direct contact with infected animals, indirectly through animal products or excreta, or via intermediate hosts.”<sup>7</sup> And finally, in looking towards stopping future pandemics before they start, the WHO concluded that “[t]he majority of emerging diseases originate from animal reservoirs and there is strong evidence that most of the current human coronaviruses have originated from animals . . . . Seeding of SARS-CoV-2 in mink populations has shown that these animals are highly susceptible as well and the current evidence available cannot rule out the possibility for minks as the primary source of SARS-CoV-2.”<sup>8</sup>

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<sup>4</sup> Oregon Department of Agriculture, Tests at an Oregon Mink Farm Show SARS-CoV-2 Still Present with No Virus Mutations; Testing, Surveillance, and Trapping Continues (Jan. 12, 2021), <https://content.govdelivery.com/accounts/ORODA/bulletins/2b626a7>.

<sup>5</sup> Wufei Yu, *Why Utah’s Wild Mink COVID-19 Case Matters*, High Country News (Jan. 20, 2021), <https://www.hcn.org/issues/53.3/south-wildlife-why-utahs-wild-mink-covid-19-case-matters>.

<sup>6</sup> WHO, WHO-Convened Global Study of Origins of SARS-CoV-2: China Part, 58 (Mar. 30, 2021), <https://www.who.int/news/item/30-03-2021-who-calls-for-further-studies-data-on-origin-of-sars-cov-2-virus-reiterates-that-all-hypotheses-remain-open>.

<sup>7</sup> *Id.* at 93.

<sup>8</sup> *Id.* at 133.

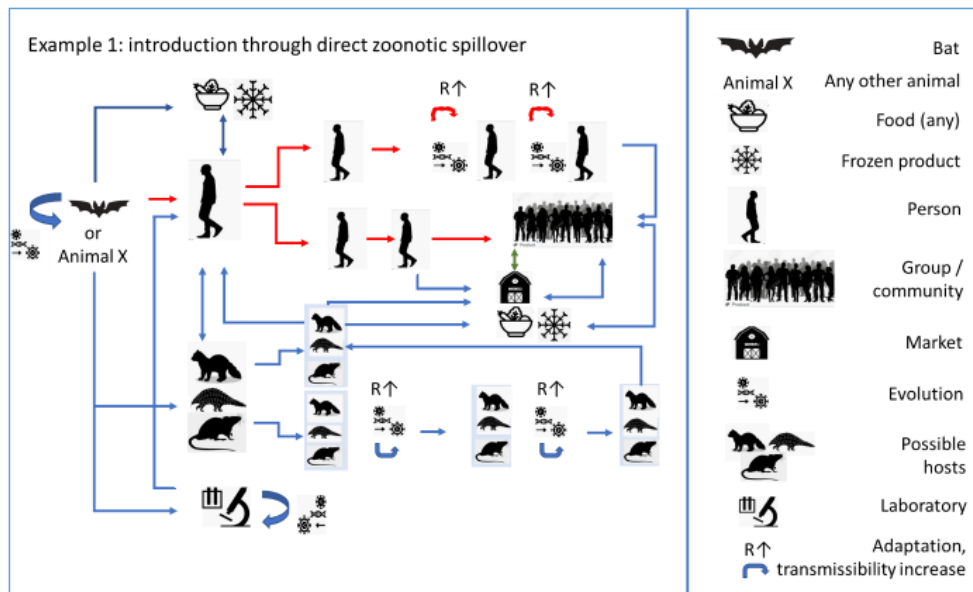


Fig. 2. Schema for direct zoonotic transmission. Arrows relevant for this scenario are indicated in red.

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Further, as the above chart and the overwhelming weight of science indicate, if a commercially farmed mink infected with SARS-CoV-2 or another future zoonotic disease enters into the wild and spreads that disease, the effects are likely to be devastating.

American mink are a species native to Oregon. They are members of the mustelid family, which in Oregon includes federally protected Humboldt martens, Pacific fishers, wolverines, ermines, long-tailed weasels, American badgers, and river otters. The potential for these related species to contract and spread a virus, once introduced, presents the “perfect storm.”<sup>10</sup> Indeed, as Dr. Barbara Han, a disease ecologist at the Cary Institute who is studying why mink are more susceptible than other non-human animals to succumbing to and dying from COVID-19, has explained: “[o]nce a disease is established in an animal population, it’s very hard to control it . . . [to the extent that Dr. Han] can’t name a disease we’ve been able to eradicate once it reaches that point. A future where scientists are playing whack-a-mink with these and potentially other species sickened by COVID-19—plus a vaccine that both doesn’t confer 100% immunity and isn’t accepted by 100% of the population—is a difficult one indeed.”<sup>11</sup>

<sup>99</sup> *Id.*

<sup>10</sup> Alissa Greenberg, *What’s the Deal with Mink Covid?*, PBS NOVA (Mar. 5, 2021), <https://www.pbs.org/wgbh/nova/article/mink-covid-virus-mutation/> (emphasis added).

<sup>11</sup> *Id.*; see also Kate Golden, *Wisconsin’s Mink Farming Industry Now Seen at Risk of COVID-19*, WISCONSIN STATE JOURNAL (Feb. 8, 2021), [https://madison.com/wsj/business/wisconsin-s-mink-farming-industry-now-seen-at-risk-of-covid-19/article\\_59837d1a-63c0-5e7d-b872-70273398f336.html](https://madison.com/wsj/business/wisconsin-s-mink-farming-industry-now-seen-at-risk-of-covid-19/article_59837d1a-63c0-5e7d-b872-70273398f336.html).

**The Center supports SB 832** because it establishes a common-sense approach to addressing these risks head-on, while also supporting the small number of mink farmers in the state<sup>12</sup> as they transition to other lines of work. This is a win-win solution for public health, Oregon’s wildlife populations, and the mink farmers themselves that will establish Oregon as a national leader on these issues.

Passage of this bill is also the only real option Oregonians have left for protecting ourselves from factory farmed mink spreading disease into the wild and becoming a reservoir for disease that can imperil public health. We, at the Center, know this beyond question because of our experience over the past seven months attempting diligently to resolve this issue and see meaningful protective measures put into place through the only alternative avenues available to us: the administrative and executive routes. But with each step along that road, we faced nothing but walls and barriers.

- First, on **November 6, 2020**, following outbreaks of SARS-CoV-2<sup>13</sup> among mink and human populations around the world, the Center (and specifically the two people submitting this written testimony) sent a letter to the Oregon Department of Agriculture and Oregon Health Authority (Agencies) urging them to investigate the threat of COVID-19 outbreaks and viral mutations at the state’s mink-fur farming operations, and to ensure that if COVID-19 cases are discovered at mink-breeding facilities that the public be informed.<sup>14</sup>
- On **November 19, 2020**, the Agencies responded by email to the Center’s request, stating that instead of taking actions to affirmatively investigate and prevent the spread of the disease in Oregon’s mink populations and farm workers, they were working with the industry by “providing information on biosecurity” and “develop[ing] collaborative disease response plans,” and that specifically they were “not testing mink at this time.”<sup>15</sup> In their response, the Agencies’ further detailed a wait-and-see approach in which an outbreak would necessarily need to take hold before the Agencies implement a response plan.
- **On that exact same day (November 19)**, Oregon faced its first reported instance of mink experiencing symptoms of SARS-CoV-2.<sup>16</sup> Upon Oregon Department of Agriculture

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<sup>12</sup> According to the Oregon Department of Agriculture (ODA), there are currently 11 state-permitted commercial mink confined animal feeding operations (CAFOs) in Oregon, only five to seven of which are still actively producing mink. On average, these CAFOs are permitted to house almost 40,000 mink each, with the largest operation in the state permitted at 109,500 animals.

<sup>13</sup> SARS-CoV-2 is the animal virus linked to COVID-19 in humans.

<sup>14</sup> That letter is available here:

[https://www.biologicaldiversity.org/programs/environmental\\_health/pdfs/Letter-to-ODA-and-OHA-11-6-20.pdf](https://www.biologicaldiversity.org/programs/environmental_health/pdfs/Letter-to-ODA-and-OHA-11-6-20.pdf)

<sup>15</sup> That response is available here, as Exhibit B:

[https://www.biologicaldiversity.org/programs/environmental\\_health/pdfs/Mink-COVID-19-Outbreak-Transparency-Needed-Letter-to-ODA-OHA-and-Governors-Office-12-1-20.pdf](https://www.biologicaldiversity.org/programs/environmental_health/pdfs/Mink-COVID-19-Outbreak-Transparency-Needed-Letter-to-ODA-OHA-and-Governors-Office-12-1-20.pdf)

<sup>16</sup> Tracy Loew, *An Oregon Mink Farm Has a COVID-19 Outbreak Among Animals and Workers*, Salem Statesman Journal (Nov. 27, 2020),

<https://www.statesmanjournal.com/story/news/local/coronavirus/2020/11/27/covid-19-confirmed-10-oregon-mink-farm-regon-department-agriculture/6441838002/>.

(ODA) taking representative samples from 10 of the approximately 12,000 mink on that one fur farming operation, all of them came back positive for the virus.<sup>17</sup> Despite the severity of the outbreak concern, it took state regulators four days from reporting to place the operation under quarantine and ask its workers to self-isolate.<sup>18</sup>

- **On December 2, 2020**, the Center again sent a letter to the Agencies, as well as Governor Kate Brown, reiterating its original request, urging the release of information on the November mink farm outbreak, and “given the growing risk of this industry to public health and the environment [requested that] . . . Governor Kate Brown . . . impose an immediate quarantine of all mink farming operation in Oregon, halt breeding programs to arrest the expansion of animal hosts for the virus and coordinate with the U.S. Department of Agriculture to implement a government buy-out program for the state’s mink farms.”
- **On December 4, 2020**, the Agencies responded by email to the Center’s request by again assuring the Center that everything was under control but did not agree to undertake any of the Center’s requested actions. (The Center did not receive a response from the Governor’s office.)
- **On December 29, 2020**, it was reported that at least one of the farmed mink infected with the virus had escaped its confinement and entered into the wild.<sup>19</sup> **On January 13, 2021**, ODA reported that it had captured a second mink in the wild that was infected with SARS-CoV-2 and that was believed to have been a commercially-raised mink that had recently escaped from a nearby infected mink farming operation (as well as a third mink captured at the same time that was additionally believed to have escaped from the same operation, but did not test positive for the virus).<sup>20</sup> The location of the commercial mink farm from which these infected mink escaped was never publicly identified by the Agencies, despite numerous requests for them to do so.
- **On January 15, 2021**, the Center took petitioned the Oregon Department of Fish and Wildlife (ODFW) to add commercially farmed mink to the state’s prohibited species list.<sup>21</sup> Adding mink to the prohibited species list would prohibit the possession of live mink in Oregon unless a facility can demonstrate that it can prevent escapes, minimize the spread of disease, and take good care of the animals.
- **On April 1, 2021**, the Center received a letter from ODFW officially denying its petition. At the ODFW Commission hearing on March 19, 2021 during which the petition was debated, the reason given for the denial was that the request was outside of ODFW’s

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<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> April Ehrlich, *Mink Infected with the Coronavirus Escapes Oregon Fur Farm*, Oregon Public Broadcasting (Dec. 29, 2020), <https://www.opb.org/article/2020/12/29/coronavirus-mink-oregon/> (“A mink caught outside a farm in Oregon in mid-December has tested positive for low-levels of the coronavirus. State officials believe the mink escaped from a small farm that was already under quarantine because of a coronavirus outbreak among mink and humans.”).

<sup>20</sup> ODA, *Tests at an Oregon Mink Farm Show SARS-CoV-2 Still Present with No Virus Mutations; Testing, Surveillance, and Trapping Continues*, News Release (Jan. 13, 2021),

<sup>21</sup> That petition is available here:

[https://www.biologicaldiversity.org/programs/environmental\\_health/pdfs/2021-1-15\\_OR-Mink-Prohibited-Species-Petition.pdf](https://www.biologicaldiversity.org/programs/environmental_health/pdfs/2021-1-15_OR-Mink-Prohibited-Species-Petition.pdf).

authority because commercially farmed mink are considered “livestock” subject to the exclusive jurisdiction of ODA.

- **On April 1, 2021**, the Center had a phone call with ODA during which the agency confirmed that no active trapping programs to ensure against the spread of SARS-CoV-2 from commercial mink facilities to wild populations were ongoing, repeatedly stated that it “does not look like there is interest in an ongoing surveillance program,” and that any future trapping or testing would follow only after additional cases of the virus were reported. They also confirmed that the permitting program that the agency maintains for commercial mink farming operations is merely a water quality permitting program, and not one meant to protect against the escape of mink from these farming operations into the wild. They also suggested that our concerns should more properly be addressed with ODFW, even after we repeatedly stressed to them that ODFW said that ODA had exclusive jurisdiction over farmed mink.

What these experiences clearly show is that the intersection between the oversight of commercially farmed mink and their effects on wild mink and other wildlife populations exists in a regulatory gray area, and requires a legislative, not administrative, solution.

This pandemic illustrates a unique vulnerability for mink, both wild and domestic, to become infected by and transfer disease back to humans, as well as the high probability that commercially farmed mink infected with a virus can escape their enclosures and introduce the virus into wild mink and other mustelid populations. The Oregon legislature has a chance with SB 832 to mitigate these types of threats to wildlife and public health while also helping the state’s remaining mink farmers transition into other lines of work. For these reasons, we respectfully ask that the members of the Senate Committee on Natural Resources and Wildfire Recovery **support the passage of SB 832**.

Thank you for the opportunity to submit this testimony.

Sincerely,

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