



OREGON
FARM
BUREAU

Locally Grown
and
GROWING STRONG

**Testimony to Senate Natural Resources and Wildfire Response Committee
Oregon Farm Bureau Opposes SB 832**

April 5, 2021

Chair Golden and Members of the Committee,

The Oregon Farm Bureau strongly opposes SB 832 – it is one of the most extreme anti-animal agriculture bills we’ve ever seen in the legislature, and sets a very dangerous precedent for all of agriculture. By way of background, the Oregon Farm Bureau (OFB) is the state’s largest agricultural trade association, representing nearly 7,000 farm and ranch families from across the state. We represent many of Oregon’s family mink farmers, who have a long and stellar history of production within Oregon.

Oregon’s multi-generational mink farms are international leaders in sustainability and animal welfare, following operating standards that are peer reviewed and third-party endorsed. Mink are not a threat to public health or wildlife health. Zoonotic disease transmission is not uncommon across all species, which is why Oregon’s farmers and ranchers take biosecurity so seriously. Oregon has had disease outbreaks in the past that can cross species, which is why Oregon has a very progressive approach to disease identification and response that has worked effectively across the livestock sector and worked well this summer for mink. The one mink farm that had COVID-19 cases was proactive in engaging all relevant agencies in response, and the cases did not spread beyond the farm. There is no scientific reason to shut down the mink industry.

As the letters in the record from farmers and ranchers around the state indicate, this bill sets a terrifying precedent for all of agriculture – if we BAN an industry based on misinformation and fears over an easily controllable risk that is not unique to that industry (such as zoonotic disease transmission), it sets a very dangerous precedent for all agriculture in the state. Banning an industry and shutting down multi-generational farms is not something that should be done lightly and is not something we believe the legislature should ever consider. Should you pass this bill, you will be immediately and directly costing dozens of farm families their livelihoods and costing their employees their jobs. You will be taking their property and leaving them without any means to support themselves. That the legislature would even consider this outcome has been terrifying to our family-run mink operations, and horrifying to the rest of the agricultural sector who is watching to see how this bill is approached by this Committee.

This bill effects an immediate and direct taking of private property for an alleged public benefit without compensation, and therefore violates the mink farmers' constitutional rights. The Takings Clause of the Fifth Amendment of the United States Constitution, made applicable to the States through the Fourteenth Amendment's Due Process Clause, provides that the government cannot take private property for public use without just compensation. Put plainly, "[w]hen the government physically takes possession of an interest in property for some public purpose, it has a categorical duty to compensate the former owner." *Arkansas Game & Fish Comm'n v. United States*, 568 U.S. 23, 31 (2012). One of the principal purposes of the Takings Clause is "to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." *Dolan v. City of Tigard*, 512 U.S. 374, 384 (1994) (quoting *Armstrong v. United States*, 364 U.S. 40, 49 (1960)). Passage of this bill will likely end up costing the states millions of dollars in takings claims, and countless more in litigation.

We find it curious that many of the groups advocating for this bill and purporting to be concerned about the welfare of mink are effectively advocating for their wholesale slaughter. When section 2(2)(a) is read alongside section 4, it appears to require the immediate culling and onsite burial of mink, given that transfer of the animals off of the farm is prohibited. The culling and burial of mink in Denmark raised several concerns around water quality and soil health which are not addressed in SB 832.

Mink do not pose a public health risk to humans. Mink are not an effective vector for COVID-19 to humans – they can catch it from humans and spread it to other mink, but they present a low risk of spread back to humans. This risk is even lower now that farmers and their employees are eligible for a vaccine, and a vaccine for mink is in the pipeline for distribution. This vaccine is also being used for zoo animals and domestic pets. There is no public health reason to ban mink farms.

This bill would cost dozens of Oregon's farm families their livelihood without compensation, and with no scientific basis. We urge your opposition.