



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003

September 13, 2021

Janelle P. Kendall, Stearns County Attorney
705 Courthouse Square, Room 448
St. Cloud, MN 56303

Via USPS and email

Re: Request for investigation and potential prosecution of Jennie-O Turkey Store and employees for cruelty to animals in your jurisdiction

Dear Ms. Kendall,

I write on behalf of the Animal Welfare Institute (“AWI”) to request that your office investigate and consider for prosecution or refer to local law enforcement the following repeated instances of animal cruelty:

In April, May, and June 2021, the Jennie-O Turkey Store (“Jennie-O”) facility located in Melrose, Minnesota, had five incidents that would appear to constitute cruelty to birds under Minn. Stat. § 343.21. This statute prohibits deprivation of necessary food, water, and shelter to any animal. It is also unlawful to neglect or abandon any animal, or to keep any animal in an enclosure without providing change of air.

Because of Jennie-O and its staff’s deliberate neglect, hundreds of turkeys suffered and perished this summer due to extreme weather, such as temperatures from 93-95 degrees Fahrenheit. Attachment 1. On multiple occasions during this weather, turkeys were left for hours in transport trailers with no shelter from the direct sun and no fans or misters to keep the animals cool. This neglect resulted in moderate to extreme heat stress in the birds, which presented as rapid panting, dropped wings, and even death. Even though employees were directed to provide fans, misters, and shade to the animals, they failed to do so and thereby alleviate this heat stress on *five* occasions during the 3-month period.¹

AWI was established in 1951 to reduce the suffering caused by humans to animals, including farm animals subject to transport and slaughter. AWI monitors transport and holding conditions faced by animals sent to slaughter facilities and engages in advocacy to help reduce the suffering experienced by these animals to the greatest extent possible. It is our opinion that the incident described above is particularly egregious, especially given the pattern of repeat offenses.


¹ This is not the first time Jennie-O and its staff engaged in this kind of behavior. In 2019, the USDA recorded that the same facility had the same problems: birds were left in trailers in direct sun with no benefit of air movement from fans or cooling mist. Attachment 2.

AWI obtained this information from U.S. Department of Agriculture inspection records. Although pursuant to the Poultry Products Inspection Act (21 U.S.C. §§ 451–472) the slaughter, sanitation, and inspection practices at poultry processing facilities are regulated by the USDA Food Safety and Inspection Service (“FSIS”), the department does *not* regulate the treatment of poultry waiting for slaughter in transport trailers. The FSIS acknowledges the authority of state officials in the treatment of birds at federal slaughterhouses and that, in some situations, incidents may violate a state’s animal cruelty code.²

The documented incidents appear to constitute cruelty to birds under Minn. Stat. § 343.21. Prosecution should be strongly considered to avoid future incidents of this nature and to ensure those who engage in this kind of behavior are held responsible to the fullest extent of the law.

Thank you for your consideration. If you have any questions or would like to arrange a meeting, please contact me via email at erin@awionline.org or by phone at 202-446-2147.

Sincerely,


Erin Sutherland
Staff Attorney
Farm Animal Program

² FOOD SAFETY AND INSPECTION SERVICE, *Directive 6910.1: District Veterinary Medical Specialist (DVMS) – Work Methods*, 19–20 (2009) https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/6910.1.pdf.