



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003

October 14, 2021

Jared Bergeman, Watonwan County Sheriff
710 Second Ave. S.
St. James, MN 56081

Via USPS and email

Re: Request for investigation of Butterfield Foods Co. and employees for cruelty to animals in your jurisdiction

Dear Sheriff Bergeman,

I write on behalf of the Animal Welfare Institute (“AWI”) to ask that your office investigate and request prosecution for the repeated instances of animal cruelty and neglect detailed in the enclosed documents.

On September 13, 2021, AWI reached out to Watonwan County Attorney Stephen Lindee requesting that his office investigate and prosecute these instances of animal cruelty and neglect. As we have received no response from Mr. Lindee’s office, AWI is requesting that the Watonwan County Sheriff’s Office investigate the following incidents:

On June 9, 2021, 2,552 birds died due to deliberate neglect by the staff of Butterfield Foods Company (“Butterfield”) at its 225 Hubbard Avenue plant in Butterfield. The birds died from exposure to temperatures in excess of 90 degrees in a trailer that was abandoned overnight at the facility with no heat abatement such as fans, shelter, or misters (Attachment 1). According to Minn. Stat. § 343.21, it is unlawful to deprive any animal of necessary food, water, and shelter. It is also unlawful to neglect or abandon an animal, or to keep an animal in an enclosure without providing change of air. AWI uncovered at least four other occasions over the last three and a half years in which Butterfield and its employees appear to have violated the Minnesota statute (see Attachments 2–5). These instances are detailed in the attached letter to County Attorney Lindee’s office (Attachment 6).

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 encourages local prosecution of cruelty and neglect. It is our opinion that the incident described above is particularly egregious, especially given the pattern of repeat offenses.

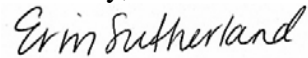
AWI obtained this information from U.S. Department of Agriculture inspection records. Although the USDA Food Safety and Inspection Service (“FSIS”) regulates slaughter, sanitation, and inspection of poultry processing facilities, it does *not* regulate the treatment of poultry awaiting slaughter in transport trailers. The FSIS, however, does acknowledge the authority of

state officials to prosecute incidents in which the treatment of birds at federal slaughterhouses violate that state's animal cruelty statute.¹

The documented incidents appear to constitute cruelty to birds under Minn. Stat. § 343.21. Investigation and eventual 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.

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

¹ 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.