

PETITION FOR RULEMAKING

New Hope Now submits petition herein pursuant to 16 CFR § 1.31 to request that the Federal Trade Commission (“FTC”) require all product labeling for nonhuman flesh, nonhuman dairy and nonhuman eggs to show photographs of torture, suffering and killing of nonhuman beings disclosing long-hidden Truths.

Such labels do not judge or force decisions. Rather, they provide transparency and **Truth in Advertising, and Protect Consumers from Deception**.

A. ACTION REQUESTED

Federal Trade Commission Act [Section 5 \(15 USC § 45\)](#) and [Section 12 \(15 USC § 52\)](#) form the foundation of the FTC's consumer protection powers, collectively prohibiting unfair competition, deceptive business practices and false advertising.

In accordance with FTC sections 5 and 12, and FSIS and FDA missions and responsibilities to the public health, safety and welfare; labels on all nonhuman flesh, byproducts and secretions should be labeled as such.

In other words, every package of nonhuman flesh, by-products and secretions, and every single item that comes from a nonhuman being packaged as food should disclose the Truth about the contents.

Deceptive Practices occur when a representation, *omission* or practice is likely to mislead a consumer acting reasonably, causing material injury such as human health diseases and chronic conditions.

Unfair Practices cause or are likely to cause substantial consumer injury that consumers could not reasonably avoid, and which are not outweighed by countervailing benefits to consumers or competition.

False Advertising specifically targets the dissemination of false advertisements likely to induce the purchase of food, drugs, devices, services or cosmetics.

An advertisement is considered false if it is "misleading in a *material* respect," meaning the misrepresentation is likely to affect a consumer's decision to buy or use the product.

Consumer products of nonhuman flesh, nonhuman dairy and nonhuman eggs remain exempt from FTC’s 16 CFR Part 500 rules because they are subject to separate, specific labeling requirements imposed by the US Department of Agriculture (USDA) and the Food Safety and Inspection Service (FSIS); however, USDA and FSIS do not include **Truth in Advertising and Protection of Consumers from Deception** in their Missions as **Truth in Advertising and Protection of Consumers from Deception** remains the Mission of FTC.

Accordingly, the FTC must add a new rule requiring photographs to be added to existing labels created by USDA and FSIS to fulfill its Mission and ensure **Truth in Advertising and Protection of Consumers from Deception**.

New Hope Now requests that the Federal Trade Commission require manufacturers to include photographs showing the following **Truths** on all product labeling of all nonhuman flesh, nonhuman dairy and nonhuman eggs.

FTC shall commence with the majority of nonhuman food products, ie, pork, beef, dairy, chicken and eggs; then eventually include all nonhuman food products, ie, all poultry, veal, lamb, et al.

First, all pork products shall show photographs of pigs living in confined metal “crates known as “gestation” or “farrowing” crates which are barely larger than the pig’s body, preventing them from turning around or taking more than a step forward or backward featuring slatted floors for waste disposal. Sows spend most of their pregnancy in crates, experiencing extreme confinement that causes severe physical and psychological stress.

Sows are confined in individual crates, usually measuring seven by two feet during pregnancy which lasts about four months.

Before giving birth, sows are moved to farrowing crates which are similar to gestation crates, but include small, side-protected areas for piglets. These crates limit the sow's movement to standing and lying, separating her from her litter to prevent accidental crushing.

The cramped, barren conditions prevent natural behaviors like rooting, nesting and social interaction. Floors are typically slatted to allow waste to drop into pits below.

Sows exist in these systems for several years while producing multiple litters before being sent to slaughter.

Second, all beef products shall show photographs of cows existing in intensive confinement indoors in crowded, dirty, barren environments with limited movement.

Cows spend their lives on concrete or slatted floors in large sheds without access to pastures. These animals endure high-stress conditions, including constant milking or rapid growth, leading to lameness, disease and chronic stress.

They wait in line for their turn for torture and death, and they know their fate as they hear the screams, smell the blood and death, and witness torture and death of their loved ones who have gone before them.

Third, all dairy products shall show photographs of cows existing in "free stall" or "tie-stall" barns, confined to small stalls or crowded into large sheds, limiting natural behaviors like walking or foraging.

Dairy calves are removed from their mothers shortly after birth, causing severe distress to both. Mothers scream and cry for their babies for days.

Cows undergo tail docking and dehorning without anesthesia.

Cows are fed grain-intensive diets (as opposed to foraging) which causes metabolic diseases such as acidosis.

Crowded, filthy conditions result in foot damage, udder infections (mastitis) and other health issues requiring high levels of antibiotics. (Eighty percent of all antibiotics sold are used in factory farms.)

“Spent” dairy cows are slaughtered at around five years old, far younger than their natural lifespan.

Calves raised for veal are placed in restrictive veal crates in which they cannot turn around. They exist on elevated floors to prevent access to their own waste.

The dairy industry *is* the beef industry.

Fourth, all chicken products shall show photographs of chickens existing in tens of thousands per shed, rarely exposed to sunlight or fresh air, in overcrowded, ammonia-filled conditions.

Meat chickens ("broilers") are raised in large, windowless, indoor sheds. By the time they are ready for slaughter, they have less than one square foot of space per bird.

The sheds are filled with waste, leading to high ammonia levels that burn the chickens’ eyes, lungs and skin. The air quality is poor, and the litter is rarely cleaned until the chickens are removed for slaughter.

Broilers are selectively bred to gain weight at an unnatural rate, growing from one and one-half ounces to over nine pounds in seven weeks. This causes severe health issues including broken legs and heart failure as their bodies cannot support their fast-growing weight.

Due to their accelerated growth, many broiler chickens suffer from chronic, severe muscle disorders and pain.

Meat chickens live an average of 42 days before slaughter.

Fifth, all egg products shall show photographs of egg-laying hens existing in "battery cages" which are stacked in rows with 80-90 birds per cage. They are unable to walk, spread their wings or perform natural behaviors like nesting or dust bathing.

To manage stress-driven aggression (like feather pecking) in crowded conditions, chickens have their beaks cut off without anesthesia.

Laying hens are killed after about 18-24 months when their production drops.

Artificial lights are kept on for most of the day and night to encourage constant eating resulting in severe sleep deprivation.

At the end of their lives, chickens are packed into crates, experiencing broken bones and injuries, before being transported long distances to slaughterhouses. They are shackled upside down, passed through an electrical bath for stunning, and then their throats are cut by a machine. If the machinery misses, they are boiled alive in the scalding tank.

Male chicks in the egg industry are typically killed shortly after hatching because they cannot lay eggs and do not grow fast enough for meat production. Billions of babies are killed annually *via* maceration or gas, though some producers are adopting *in-ovo* sexing technology to identify and dispose of male embryos before they hatch. (This practice occurs worldwide in industrial egg production including caged, free-range and organic farms.)

Finally, the aforementioned industrial agricultural practices occur in factory farms, free-range and organic farms. Despite the fact that some family farms or other small farms (which represent a negligible amount of the total) allow nonhuman beings to walk around on grass and spend time with their loved ones, ultimately they are killed and likely suffer like the vast majority.

There exists no guarantee that the killing will be "humane." The process considered "humane" by regulatory bodies and animal welfare organizations involves two main stages: "stunning" to render the being unconscious and insensible to pain, followed immediately by a killing method, such as bleeding out before the animal can recover consciousness.

All too often, the living beings remain **conscious** after the "stunning" and endure unimaginable, unconscionable torture before death. Furthermore, as previously mentioned, they wait in line for their turn for torture and death, and they know their fate as they hear the screams, smell the blood and death, and witness torture and death of their loved ones who have gone before them. [Scientific evidence shows that central nervous systems enable all animals (both human and nonhuman) to possess the ability to feel. All animals have central nervous systems. Thus, all animals have the ability to feel as discussed below.]

Examples of mandatory labels: <https://www.facebook.com/share/1FAffvEutZ/>



The issuance of the rule described herein would affect New Hope Now's Purpose to save planet Earth, eradicate world hunger, and end unnecessary violence and suffering. In addition, the issuance of the rule described herein would affect New Hope Now's Mission of ending factory farming.

B. STATEMENT OF GROUNDS

The **Mission of the FTC is to protect the public from *deceptive*** or unfair business practices; and from unfair methods of competition through law enforcement, advocacy, research and education.

To ensure that Americans understand the **Truth** about the origin of their food, it remains imperative that the FTC ensure **Truthful** depiction (*photographs*) is prominently placed on product labeling for all nonhuman flesh, dairy and egg products.

Scientific evidence shows that central nervous systems enable all animals to possess the ability to feel. All animals have central nervous systems. Thus, all animals have the ability to feel.

All nonhuman beings feel pain. Professor Peter Singer (Emeritus Ira W. DeCamp Professor of Bioethics at Princeton University, author of *Animal Liberation* (1975)) states, "The behavioral signs include writhing, facial contortions, moaning, yelping or other forms of calling, attempts to avoid the

source of pain, appearance of fear and terror at the prospect of its repetition, screaming, crying, trying to physically escape."

Infamous and beloved Dr. Jane Goodall noted in her study of chimpanzees in her book, In the Shadow of Man, "when it comes to expression of feelings and emotions, language is less important than nonlinguistic modes of communication such as cheering, a pat on the back, an exuberant embrace, a clasp of hands, *etc.* The basic signals we use to convey pain, fear, anger, love, joy, surprise, sexual arousal and many other emotional states are not specific to our own species."

All human and nonhuman living beings possess sentience, and all living beings have the ability to experience feelings of pain, sadness, loneliness, depression, pleasure, happiness, love, joy, gratitude, *etc.*

In the 1960s and 1970s, thanks to Dr. Jane Goodall's journey to Africa to study chimpanzees and Professor Peter Singer's research in bioethics, we have scientific proof that nonhuman beings are sentient or capable of feeling because, like human beings and unlike plants and things, they have central nervous systems.

Although plants can respond to external stimuli, they cannot feel anything because plants do not have central nervous systems.

It remains imperative to show consumers the Truth, *ie*, photographs of the torture, pain, suffering, killing and death involved in bringing nonhuman flesh, dairy and eggs to dining tables; and the Truth about the origin of steak, hamburger, chicken, hot dogs, bacon, fish, butter, ice cream, milk, eggs, *etc.*

Truth in advertising is the Mission of the FTC and consumers deserve the Truth.

The FTC has a fiduciary duty to Americans to disclose the Truth in order for each consumer to have the knowledge they deserve to make a decision whether to purchase a product.

C. ENVIRONMENTAL IMPACT

"The elimination of animal agriculture cannot solve the world's problems, but the world's problems cannot be solved without the elimination of animal agriculture." Earthling Ed

Factory farming produces more greenhouse gas emissions than the entire transportation industry of the world.

Almost half of livestock emissions are in the form of **methane**; about one quarter are from **nitrous oxide**; and about one quarter are from **carbon dioxide**.

Deforestation is a related activity to factory farming because we clear land to raise nonhuman beings for food, clothing and consumer products.

Not only does factory farming pollute our air, water and land; it wastes a tremendous amount of water and land.

With respect to pollution, imagine hundreds of millions of nonhuman beings, usually cows, pigs and chickens, packed into massive windowless buildings where they are confined in boxes, crates, cages and stalls.

These factory farms produce huge amounts of their sewage and other pollutants. The quantity of urine and feces from the smallest factory farm is equivalent to the urine and feces produced by 16,000

humans. The waste contains disease causing pathogens, chemicals, pharmaceuticals and heavy metals. Over 168 gases are emitted from the waste, including hazardous chemicals such as ammonia, hydrogen sulfide and methane. Airborne particulate matter carries disease causing bacteria, fungus or other toxic pathogens.

To handle the waste from approximately 80 billion nonhuman beings who are slaughtered for food every year, farmers use a standard practice of flushing feces and urine into open air pits called lagoons; then to prevent the lagoons from overflowing, farmers spray the liquid waste into the air. The waste pollutes the air, and seeps into the soil and water tables, and causes illnesses or deaths of nearby residents.

These innocent, nonhuman beings frequently die in factory farms, and their broken, lifeless bodies contribute to the waste.

Regarding waste of natural resources, factory farming uses about 75 percent (three quarters) of all agricultural **land** which is 30 percent of the land surface of the planet. Accordingly, factory farming of nonhuman beings is the biggest cause of deforestation.

With regard to **water,**

to produce one pound of beef, we use ~ 1,800 gallons of water;

to produce one pound of pork, we use ~ 580 gallons of water;

to produce one pound of chicken, we use ~ 470 gallons of water;

to produce one pound of soybeans, we use ~ 220 gallons of water;

to produce one pound of corn, we use ~ 110 gallons of water;

and to produce one egg, we use ~ 55 gallons of water.

A one quarter pound hamburger requires over 660 gallons of water to produce which is enough water to shower for two months.

Domestic water usage in the United States measures 5% compared to factory farming usage of 55%.

With respect to paper and plastic, obviously, the production of paper kills trees.

Approximately two trillion nonhuman beings who live in the sea are killed every year for food. In addition, many sea creatures die from pollution due to toxicity or suffocation due to plastic pollution. Plastic kills nonhuman beings who live in the sea because plastic debris strangles them causing them to starve to death or die of strangulation, and swallowing plastic causes unnecessary illness, suffering or death. In addition, plastic debris clogs landfills, blocks drains and pollutes water and land.

Approximately one billion people or 1/6 of the earth's population do not have enough to eat, but 40 percent of the world's grain is fed to livestock.

Grain that could feed the hungry human beings is used to quickly fatten up nonhuman beings in factory farms to grow big and fat and profitable. The amount of grain that would feed 50 people produces one eight ounce steak.

As long as "Big Ag" pays more than developing countries for grain to feed nonhuman beings to slaughter for food because human beings in affluent countries have insatiable appetites for butter, cheese, ice cream, chicken, ham, bacon, sausage, steak, salmon, *etc.*, human starvation will continue.

FTC allowed the nonhuman flesh, dairy and egg industries to program Americans to believe that consumers need these foods to sustain optimal health, but caused addictions to these deadly substances exactly like FTC enabled the tobacco industry to advertise the benefits and fashion of cigarettes between 1941 and 1971.

It's unnatural to breed into existence billions of innocent, sentient, nonhuman beings every single year only to enslave, torture and slaughter them for sensory pleasure.

Factory farming is an extremely inefficient industry. If we stop using land, water and edible crops to feed nonhuman beings who are bred and killed for food, and we ate the crops, everyone in the world would have enough to eat.

D. ECONOMIC IMPACT

Information will be submitted if requested by the Commissioner following review of the petition.

E. CERTIFICATION

The undersigned certifies, that, to the best knowledge and belief of the undersigned, this petition includes all information and views on which the petition relies, and that it includes representative data and information known to the petitioner which are unfavorable to the petition.

Respectfully Submitted,

/s/Carol Elizabeth Mosca

Carol Elizabeth Mosca
Founder and Director
New Hope Now 501c3

REFERENCES

Mercy for Animals Undercover Investigations

<http://www.WhatCodySaw.com>

www.meatvideo.com

https://stock.mercyforanimals.org/search/?_ga=2.86299992.1330390818.1775261015-1275854951.1775261014&terms=76&pagenum=1

Testimony of Sofia Pineda, MD

[The White Cow](#)

Label Loopholes

<https://humanefacts.org/labels-loopholes/>

AWI-FA-FSIS Food Label Rulemaking Petition 05062014

<https://awionline.org/sites/default/files/uploads/documents/AWI-FA-FSISFoodLabelRulemakingPetition-05062014.pdf>

(attached hereto)

AWI Label Confusion 2019

(attached hereto)

AWI Deceptive Consumer Labels

(attached hereto)

AWI Food Label Guide

(attached hereto)

AWI Farmed Animal Reports

<https://awionline.org/content/farm-animal-reports>

Dairy's Dark Secret Exposed

<https://gotmisery.com/>

Singer, P. (2009). *Animal Liberation, The Definitive Classic of the Animal Movement*. Harper Collins Publishers.

Wise, S. M.(2009). *An American Trilogy*. Da Capo Press.