Animals’ Angels Trailing of a pig transport from Colorado to California

1. General Information

Date: 10/22/09-10/23/09

Transport from/to:
Yuma, CO - Vernon, CA

Transport Company:
L.W. Miller Livestock Inc.
DOT 841569
1050 West 300 North
Logan, UT 84321
Number of drivers: 31
Number of Power Units: 30

Transport for:
Farmer John – Clougherty Packing LLC
3049 E. Vernon Avenue
Vernon, CA 90058

Distance to Destination:
Approx. 1157 Miles

Additional Information:

Clougherty Packing LLC, slaughters pigs at their Los Angeles plant for products like bacon, sausages and ham and distributes its meat to retailers under the Farmer John brand name. The company is a sponsor for the NFL's Arizona Cardinals and the MLB’s Los Angeles Dodgers and makes the hot dogs called “Dodger Dogs.” Founded by the Clougherty family in 1931, the company was purchased by Hormel Foods in 2004. The plant receives pigs from farms in Wyoming, Arizona and Colorado. The area around Yuma, CO is home to several of these massive pig farms, each housing approx. 10,000 sows. Trucks loaded with pigs leave the barns every week and are taken to the Los Angeles plant for immediate slaughter.

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2. Observations

10/22/09
Temperature: 30º Fahrenheit, heavy snow
6:00am

The investigators drove around the area and soon located several barns. However, the snow covered dirt roads made it impossible to get close, therefore they decided to wait for loaded trucks at a gas station in town.

8:30am
A **L.W. Miller** (trailer # L207; truck # 1370) truck loaded with pigs pulled into the gas station. The pigs were loaded onto three decks. Despite the freezing cold weather and the heavy snow, the trailer had no winter panels to protect the pigs from the elements. The **solo driver** entered the gas station to buy something and then returned to his truck.

A research of the trucking company’s files revealed that the company was fined $28,120.00 in September 2009 for **37 counts of false reports of record of duty status**.
9:00am
The truck left the gas station and started to head west on US 34. Despite icy road conditions, the driver maintained a speed of 80mph.

9:50am
The truck reached Brush, CO and turned on I-76 west. The temperature had dropped to 27º Fahrenheit.

The truck passed by all the weight scales along the way, indicating that the truck participates in the PrePass system.

11:33am
The truck passed Denver, CO and started driving on I-70 west. The truck continued to drive on I-70 through the Rocky Mountains. Parts of the road were steep and windy, but (driving downhill) the driver maintained his excessive speed. The truck reached Vail summit with an elevation of 10662 feet at 1:08pm.
7:15pm
After several short stops along the road, the truck stopped at a Flying J gas station in Richfield, UT to refuel. During all these stops, the driver never checked on the pigs.

The truck continued driving at 7:52pm.

9:40pm
The truck entered a rest area close to Cedar City, UT on I-15 south and parked. After observing the truck for 30 minutes, the investigators walked over to the truck to check the condition of the pigs on the trailer. When standing next to the trailer, the smell of ammonia was breathtaking and burned in the eyes. The compartments of the lower decks appeared very overcrowded and some pigs were lying on top of other pigs. Some wood shavings were visible; however, the bedding was completely soaked from urine and feces. Some pigs apparently had become sick during transport and traces of vomit were visible. Several pigs showed fresh cuts or scratches.

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The solo driver continued driving at 1:37am, after 4 hours rest. The truck finally arrived in Los Angeles at 9:40am (MST) and got caught in heavy rush hour traffic. Upon arrival at the plant, the truck immediately entered the premises and disappeared behind closed gates.

Arrival time at the plant: 11:05am (MST), 10:05 am (PST)

Temperature upon arrival: 78º Fahrenheit

Solo driver had been driving (since start of observation): 26 hours and 35 minutes

Palm trees in LA – 78º Fahrenheit

Farmers John Slaughter Plant

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Legally, a solo driver is only allowed to drive for 11 hours, than he has to take a 10 hour break. This driver more than doubled that time.

**Federal Motor Carrier Safety Regulations 49 CFR, Part 395.3 (Hours of Service):**

(a) No motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle:

(a)(1) More than 11 cumulative hours following 10 consecutive hours off duty; or
(a)(2) For any period after the end of the 14th hour after coming on duty following 10 consecutive hours off duty

In addition, taking the wait time after loading/unloading the pigs into account and the time it took the truck to get from the pig barn to the starting position of the trailing at the gas station in Yuma, CO, the pigs were most likely confined on the trailer for more than 28 hours.

**TITLE 49/SUBTITLE X/CHAPTER 805**

Sec. 80502. Transportation of animals

(a) Confinement.--(1) Except as provided in this section, a rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of those carriers, or an owner or master of a vessel transporting animals from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession, may not confine animals in a vehicle or vessel for more than 28 consecutive hours without unloading the animals for feeding, water, and rest.
Areas of concern:

1) Animal Welfare during transport
- The pigs were most likely confined on the trailer for more than 28 hours.
- The trailer was not equipped with winter panels and offered the pigs no protection from the elements. Trucks from other companies observed in Yuma, CO all covered the trailer sides, why not L.W. Miller? The trailer used was a Wilson Silver Star. Winter Panel Kits are available from the trailer company.

![Loaded pig truck with covered sides](image)

- The pigs were exposed to temperature differences of 50º Fahrenheit. This is unacceptable, especially for pigs that have been confined in a temperature controlled barn and that have never been exposed to the elements.
- The driver did not once check the condition of the pigs during transport, or check for downed or injured animals.
- The driver did not drive with the well being of the pigs in mind. He was speeding, taking curves too fast, causing the animals to get knocked down and become sick during transport (as the vomit found on some pigs indicated)
- The lower compartments of the trailer appeared to be overcrowded, the pigs were on top of each other.

2) Public safety concerns:
- The solo driver drove 26 hours and 30 minutes instead of the legally allowed 11 hours. Overtired truck drivers are a severe risk on US highways. Especially concerning is the fact that the same trucking company just recently was fined $28,120.00 for falsification of log books. It appears that this fine was not enough to ensure future compliance with Federal Motor Carrier Safety Regulations.
Conclusion:

The investigation revealed a blatant disregard for public safety and animal welfare. This is especially disappointing since “Farmer John” claims on its website that the company is guided by “respect for employees, customers and the environment”.

Animals’ Angels urges “Farmer John” to:

- Shorten transport times for pigs significantly
- Take drastic temperature differences into account when scheduling shipments and advise trucking companies accordingly.
- Ensure that team drivers are operating truck when transport is longer than 11 hours.