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August 10, 2006

Robert Zacky
CEO, Zacky Farms
2020 S. East Ave.
Fresno, CA 93721
Fax: 559-443-2706

Dear Mr. Zacky:

On behalf of Farm Sanctuary, the nation's leading farm animal protection organization, I am writing to you regarding recent, widely-reported incidents involving the deaths of thousands of turkey poults aboard two July shipments destined for Zacky Farms. We urge you to immediately investigate this situation and to implement measures to ensure against similar, tragic events in the future.

According to numerous media reports, the Peninsula Humane Society (PHS) responded to two calls at San Francisco International Airport regarding dozens of boxes containing thousands of dead and dying turkey poults. In the first, the boxes had apparently arrived at the airport but were not picked up by the Zacky Farms driver who was designated to pick them up. In a second instance less than a week later, PHS officials responded to a call and found that 26 out of the 28 boxes of poults that were left behind by the driver had already been thrown into a trash compactor.

As you know, this situation has received considerable media attention, as well as the attention of animal protection advocates across the country. While we are certainly concerned about the apparent problems with Northwest Airlines' shipment and handling procedures, we are equally concerned about Zacky Farms' dismissive attitude toward the welfare of birds that led to thousands of birds being essentially thrown away and abandoned to suffer and die.

We find it unacceptable, as do many members of the public, that a major poultry corporation like Zacky Farms apparently has no measures in place for the humane disposition of sick and injured birds during transportation incidents. Abandoning animals to die slowly and painfully or to be crushed to death in a trash compactor is both cruel and we believe a violation of California's animal cruelty law, which applies to farm animals as it does to other domesticated animals.

We understand that Zacky Farms runs a complex, multi-million dollar corporation with millions of birds passing through your facility every year, and that as such, Zacky Farms might feel disinclined or unable to provide individual attention to each of its birds. However, it is precisely the enormity of your operation that renders it more, not less—obligated to be attentive to animal welfare concerns.

Therefore, Farm Sanctuary requests that Zacky Farms develop a humane protocol for the handling of sick and otherwise unhealthy animals that includes immediate veterinary care and prohibits animals from simply being dumped or abandoned to die. We recommend that such protocols be developed in conjunction with local humane society officials and with avian veterinarians familiar with the needs of poultry, and that all members of your staff who have contact with animals be thoroughly trained in these handling procedures.

Additionally, we request that Zacky Farms take a proactive role in demanding that suppliers of its birds adhere to the following shipping standards:

1. Day-old birds must not be mailed where there is a reasonable expectation that the birds will experience temperatures below 50 degrees or above 85 degrees Fahrenheit.

Given the sensitivity of day-old birds to temperature extremes, as well as the lack of temperature control during ground transportation for the birds, we believe it is more than reasonable that baby chicks not be mailed during potentially life-threatening temperature extremes. Especially in situations in which ventilation is restricted, such as in a cargo hold or delivery truck, the temperatures inside a box can rapidly increase to deadly levels, as has been demonstrated by the recent disaster aboard Northwest Airlines.

2. Each day-old bird mailed should be provided at least four square inches per box.

Overcrowding contributes substantially to overheating and subsequent bird mortality when chicks are being shipped in the mail. Many bird shippers have already adopted these minimal space requirements, and it is more than reasonable to extend these requirements to all shipments of baby birds, in order to ensure their welfare and survival.

3. Baby birds should only be transported on direct flights.

Direct flight requirements are crucial to the survival of baby chicks during shipment because every airline connection extends the time baby birds must be in transit. Because birds are not provided food or water during shipment, any delay in their transport can be deadly. Moreover, the unloading and reloading of chicks during stopovers exposes the birds to further temperature extremes.

We feel that these modest, humane suggestions are more than reasonable and would help to ensure against future shipment disasters. As a matter of ethics and of good business practices, we ask that Zacky Farms take a leadership position within the industry by pushing for these reforms from your suppliers.

Finally, as a demonstration of Zacky Farms' commitment to the welfare of its animals, we urge you to take a strong stance in opposition to S. 2396, proposed federal legislation regarding the shipment of baby birds. If passed, S. 2396 will undermine the ability of the carriers of bird shipments to ensure humane shipping conditions—forcing them to, for example, transport birds in all temperatures between 0 to 100 degrees Fahrenheit, which can be deadly for fragile, day-old poults.

Thank you for your thoughtful attention to this matter. We look forward to your timely response. Please feel free to contact me at any time if you feel we may be of assistance by phone at 607-583-2225 x 227 or via email at gbauston@farmsanctuary.org.

Sincerely,

Gene Bauston
President, Farm Sanctuary

Cc: John Ross, President and COO
Marcus Curry, VP and CFO