



To Serve And Strengthen Agriculture

THE LEGAL EDGE

Vol. IX, March 2010

*A Members-Only E-NEWSLETTER FROM NEW YORK FARM BUREAU'S
LEGAL AFFAIRS DEPARTMENT*

IN THIS ISSUE...

FOCUS ON ANIMAL ACTIVISM

**[What New York Livestock Producers Should Do When a Peace Officer Comes
Knocking on Their Barn Door](#)**

[Ag and Markets Circular 916: Animal Cruelty Laws](#)

[\[yellow tail\] Wine and the HSUS](#)

[The Myth of the Humane Society of the United States](#)

Elizabeth C. Dribusch, Esq., Editor

Lisa A. Ovitt, Paralegal, Associate Editor

***This is the first time we have made one single topic the focus of
The Legal Edge – please let us know what you think!***

Welcome to The Legal Edge, a publication of the NYFB Legal Affairs Department. It is our intent to provide you with valuable information on cutting edge legal matters as well as ways to help you improve your bottom line as a farmer, as a member of the agribusiness community, or as a property owner. This newsletter contains brief snapshots of issues of interest and provides links that you can follow to get more information about these topics.

WHAT NEW YORK LIVESTOCK PRODUCERS SHOULD DO WHEN A PEACE OFFICER COMES KNOCKING ON THEIR BARN DOOR

Cari Rincker, Esq. once again writes for *The Legal Edge*. This month Cari advises producers on what to do and how to conduct themselves should a peace officer show up requesting access to their property in response to a complaint. “What New York Livestock Producers Should Do When a Peace Officer Comes Knocking on Their Barn Door” offers timely and constructive advice ranging from examining a warrant and asking for identification to taking notes, contacting an attorney and using the internet to put your operation in the best possible light.

Click on the link below to access the article

[What New York Livestock Producers Should Do When a Peace Officer Comes Knocking on Their Barn Door](#)

NEW YORK STATE ANIMAL CRUELTY LAWS

By way of complimenting Cari’s article, we include the New York State Department of Agriculture and Markets Circular which incorporates laws relating to animal cruelty: Article 26—Animals; Article 25-B—Abandoned Animals; and Section 601 of the Vehicle and Traffic Law.

Click on the link below to access the article

[Ag and Markets Circular 916: Animal Cruelty Laws](#)

[yellow tail] WINE AND THE HSUS

Australia-based wine maker [yellow tail’s] donation to HSUS caused a veritable uproar in the agricultural community and resulted in a media firestorm in the press and on Facebook and Twitter. **Kay Johnson Smith of the Animal Agriculture Alliance, featured speaker at NYFB’s animal welfare conference last October**, worked to educate Casella Wines, maker of [yellow tail], as to the true nature of HSUS. See the link below for the letter the Alliance sent to [yellow tail] and the response it received, along with a response from [yellow tail] to the general public a few weeks later. While Casella Wines decided to honor their donation to HSUS, they followed-up by specifying that it be used only by HSUS’ Animal Rescue Team, to rescue animals in peril.

Click on the link below or copy it into your browser for more information:

http://animalagalliance.org/current/home.cfm?Section=YellowTailAndHSUS&Category=Current_Issues

THE MYTH OF THE HUMANE SOCIETY OF THE UNITED STATES

Finally, here is an excellent article from the University of Richmond Law School, “The Myth of the Humane Society of the United States.” If you, like us, saw the commercial with Wendie Malick (which ran almost non-stop on some television stations the month of December) touting that for just \$19 a month you can help HSUS save animals, reading this article will clarify just what HSUS does, *and doesn’t*, do.

Click on the link below or copy it into your browser for more information:

<http://74.125.93.132/u/ur?q=cache:3sh2OIE232QJ:law.richmond.edu/jurispub/jpubsite/default.php%3FpageType%3D2%26docId%3D45329%26docIssue%3D2010-01-25+john+dillard&hl=en&gl=us&ie=UTF-8&strip=1>

NEW YORK FARM BUREAU, INC.
Legal Affairs Department
159 Wolf Road
P.O. Box 5330
Albany, NY 12205-0330
(518) 436-8495
1-800-342-4143

The information contained herein is provided for informational purposes only; it is not intended to be, nor should it be considered, a substitute for legal advice rendered by a competent attorney. If you have any questions about the application of the issues raised herein to your particular situation, seek the advice of a competent attorney.

*To Unsubscribe to this E-Newsletter, please click here: legal@nyfb.org
and request to be removed from The Legal Edge List. Please include
your full name and mailing address or your membership number so we
can better serve you. Thank you.*