

executive order requiring that prior to implementing a new rule all federal agencies must repeal two regulations; part of “his major effort to dismantle environmental protections.”¹⁶ As new protections can only be introduced once two protections are repealed, those focused on improving environmental measures are in a position whereby they are effectively prevented from making any progress. Trump appears to be fulfilling his pre-election promises wholeheartedly in taking steps to reduce the EPA’s role, size and abilities, whilst he dismisses climate change.

A further concern for animal welfare is Trump’s controversial wall. The wall would impact ecosystems and animals as well the environment. In particular, the wall is expected to “halt the cross-border movement of jaguars, ocelots and wolves.”¹⁷

Whilst President Obama recently passed the Organic Livestock and Poultry Practices (OLPP), Trump has chosen to hold off on its implementation. This amended legislation concerning labelling is expected to provide much needed protection to farm animals at a federal level. It requires that the term “organic” is strictly interpreted so that the animals involved are provided

with agreed comprehensive standards of living conditions, transport and slaughter. This legislation would also provide protection for poultry, currently excluded from the Humane Methods of Slaughter Act. Although not perfect, these standards are based on years of discussions between consumers, organic producers, environmentalists and others. In particular, they clarify the definition for “outdoor access” requirements, whilst the existing definition is vague.¹⁸

“In a further effort to protect the agricultural industry, a bill was introduced by the Republican congress in January 2017 removing protection for grey wolves.”

The OLLP was set to be implemented on 20 March 2017, with a five-year phase in period. Yet the USDA has pushed back the legislation by 60 days to be implemented on 19 May 2017.¹⁹ Its effective implementation remains uncertain. Whilst there is an executive order in place requiring that for each new

regulation two existing regulations must be removed the likelihood of the bill being implemented in the near future has been jeopardised. Even without this obstacle, food producers will no doubt continue to lobby these regulations that they consider to be “an overreach by the USDA” whom they claim is without the authority to oversee this.²⁰ Whilst the intent of this legislation was to bring the rules in line with consumer expectation, this battle is expected to continue.

In a further effort to protect the agricultural industry, a bill was introduced by the Republican congress in January 2017 removing protection for grey wolves. This concerns wolves recently introduced to Wyoming and surrounding areas, and proposes to remove them as listed under the federal Endangered Species Act.²¹ Without this listing these wolves would have limited to no protection as wild animals.

Future congress bills will no doubt follow in a similar vein.

Is it all bad?

However, we cannot entirely assume the worst for the US animal welfare movement. Many may not have predicted that the Ringling Brothers would push

waters-united-states-rule-1> accessed 13 March 2017

¹⁶ Brett Hartl, ‘Trump Orders Massive Rollback of Environmental Protections’ (*Center for Biological Diversity*, 30 January 2017) <www.biologicaldiversity.org/news/press_releases/2017/trump-protection-rollback-01-30-2017.php> accessed 13 March 2017

¹⁷ Randy Serraglio, ‘Trump’s Border Wall Will Harm People, Halt Recovery of Jaguars, Other Wildlife’ (*Center for Biological Diversity*, 25 January 2017) <www.biologicaldiversity.org/news/press_releases/2017/border-wall-01-25-2017.php> accessed 13 March 2017

¹⁸ Lynne Curry, ‘Ground-Breaking Animal Welfare Organic Rules Moving Forward’ (*Civil Eats*, 13 January 2017) <civileats.com/2017/01/13/ground-breaking-animal-welfare-regulations-for-organics-moving-forward/> accessed 13 March 2017

¹⁹ United States Department of Agriculture, Agricultural Marketing Service, ‘Organic Livestock and Poultry Practices’ (*USDA*) <www.ams.usda.gov/rules-regulations/organic-livestock-and-poultry-practices> accessed 13 March 2017

²⁰ Michael Pellman Rowland, ‘Organic’s New Animal Welfare Standards Jeopardy’

(*Forbes*, 2 February 2017) <www.forbes.com/sites/michaelpellmanrowland/2017/02/02/organic-animal-welfare-standards/#2c1ce3464293> accessed 13 March 2017

²¹ A bill to direct the Secretary of the Interior to reissue the final rules relating to the listing of the gray wolf in the Western Great Lakes and the State of Wyoming under the Endangered Species Act of 1973, S.164, 115th Congress (2017-2018) (available at: <https://www.congress.gov/bill/115th-congress/senate-bill/164/text>)

forward with the removal of circus elephants from their shows, or go as far as closing shop entirely. This is a significant development for animal advocates. The last shows are to be held in May 2017, and in the face of Trump's avid support of circus animals in the past.²²

"...over 77% of residents in the state of Massachusetts voted for a new measure banning sales of products from battery caged hens, veal and gestation crates this January."

Furthermore, despite the difficulties faced in implementing animal welfare laws at a federal level, laws continue to be developed across states. In one example, over 77% of residents in the state of Massachusetts voted for a new measure banning sales of products from battery caged hens, veal and gestation crates this January.²³ As noted above, an attempt to implement legislation in Oklahoma to protect agribusiness, was voted against by over 60% of the state.²⁴ Also recently passed was "Measure 100" in Oregon in November 2016. This measure was voted for by over 69% of residents, and implemented a domestic ban in the trade of endangered animal parts including ivory.

Such successes illustrate that animal protection law development in the US will likely continue despite the new administration. Furthermore, during monumental changes such as this, movements may be forced to rethink their strategies in achieving change. This may mean that animal protectionist groups must creatively craft arguments for change that appeal to the new administration.

²² Kyle Feldscher, 'Flashback: Trump said he would not go to circus without elephants' (*Washington Examiner*, 15 January 2017) <www.washingtonexaminer.com/flashback-trump-said-he-would-not-go-to-circus-without-

elephants/article/2611918> accessed 13 March 2017

²³ Ballotpedia, 'Massachusetts Minimum Size Requirements for Farm Animal Containment, Question 3 (2016)' <ballotpedia.org/Massachusetts_Minimum_Size_Requirements_for_Farm_Anim

[al_Containment,_Question_3_\(2016\)> accessed 13 March 2017](http://al_Containment,_Question_3_(2016)> accessed 13 March 2017)

²⁴ Ballotpedia, 'Oklahoma Right to Farm Amendment, State Question 777 (2016)' <[ballotpedia.org/Oklahoma_Right_to_Farm_Amendment,_State_Question_777_\(2016\)> accessed 13 March 2017](http://ballotpedia.org/Oklahoma_Right_to_Farm_Amendment,_State_Question_777_(2016)> accessed 13 March 2017)