

LEVELING THE FIELD – ISSUE BRIEF #1

Corporate Power in Livestock Production:

How it's Hurting Farmers, Consumers, and Communities – And What We Can Do About It

You don't have to live on a farm to know that there have been big changes in the agricultural sector over the last few decades. The United States has a much smaller number of farms and ranches today than it did even ten years ago. In fact, fewer than 600,000 full-time family farms provide most of the domestically produced food we eat. These operations must deal with a small and increasingly powerful group of input suppliers—seed, pesticide, fertilizer, and livestock genetics dealers—and an equally concentrated group of buyers for their product.

This system isn't working for farmers. The power of large agribusinesses on the buying and selling sides means that farmers have less and less control over what they produce, how they produce it, where they can sell it, and what price they can get for it. The system isn't good for consumers and rural communities either: we are all affected when agribusinesses squeeze the rural economy or put profit above environmental and health concerns, community values, or fair wages.

The good news is that all around the country, communities, individuals, and organizations are working to counteract some of the negative impacts of agribusiness power in the food system. This issue brief is part of a series using the livestock sector as a case study to examine the concentration of power in the hands of a small number of companies, and to provide tools that we can all use to build a fairer, safer, and more vibrant food system.

What Does Concentration Mean?

Two researchers at the University of Missouri, Mary Hendrickson and Bill Heffernan, have compiled data on the number of agribusinesses operating in different parts of the food system. The picture is bleak. At present, two companies control 60% of the U.S. seed market for corn and soybeans, the main ingredients in animal feed. Four companies control 49% of our pork production and another four control 56% of broiler chicken production.^{1,2} Never before have the safety and sustainability of our food supply depended on the decisions of so few companies.

According to economic theory, sectors in which four companies control more than 40% of the market are considered “**highly concentrated**,” and the laws of supply and demand may have trouble functioning. The high levels of concentration that exist in livestock production are a result of two trends in the agribusiness world: **consolidation**, or the joining together of firms through mergers or strategic alliances, and **vertical integration**, the process by which one agribusiness buys up control of firms along the production chain for a food product. Today, it is not unusual to see a company with an interest in every stage of the production process for a particular type of food, from seed to snackable.³

In livestock production, a company may contract with farmers to raise the animals; provide the farmer with specific types of feed, medicine, and other inputs; require certain production methods; pick up the animals and transport them to a processing facility; and process and distribute the meat.

Who Controls U.S. Hog Production?

LO'LPurina, Cargill,
ADM, J.D. Heiskell:

34% of animal feed milling

10 companies:

67% of swine genetic stock



Smithfield, Premium Standard,
Seaboard, Prestage:

*49% of pork production through
contracts with farmers*

Smithfield, Tyson, Swift, Hormel:
64% of pork processing

Source: Ritchie 2002; Hendrickson and Heffernan 2005

With the trends of vertical integration and consolidation has come a shift in the way that most of our meat is produced. The small and mid-sized operations that until recently supplied most of our domestically-produced meat have disappeared, to be replaced by large-scale animal feeding operations. Specialization has replaced diversity on the farm. Where one farmer once wore many hats, now breeders breed, feed corn farmers grow feed corn, and hog farmers raise hogs. Purchased fertilizers have replaced those produced naturally by farm animals. And uniformity has replaced variety—in the kinds of feed crops grown, the breeds of livestock raised, and the companies to which farmers sell their products and from which consumers buy them.⁴

Why is concentration a problem? High concentration levels limit the information and choices available to farmers and consumers, making it more difficult for both groups to make informed, responsible decisions about our food system. Farmers may lose access to information

about alternative marketing options. They may be forced to produce in ways that negatively impact the health of their families or the environment where they live. And they may not be paid a fair price—or they may lose access to markets completely—if only one or two companies are buying livestock in their area.

Consumers lose as well when markets are concentrated. Concentration may limit our food choices: for example, we may only be able to find beef from a breed of cattle with a high fat-to-muscle ratio in the grocery store, and our health may be affected as a result. We may have trouble getting information about the nutritional and environmental impacts of our food choices. Food prices may rise if the market is not competitive.

Let's take a look at some of the effects of concentration in livestock production. Later, we'll look at what producers, consumers, communities and organizations are doing about it.

Genetic Concentration Threatens the Safety of Our Food System

Livestock have traditionally been bred by small independent farmers and ranchers.⁵ Different genetic strains have been tapped to find combinations that meet producers' needs—which vary depending on climate and the farm environment, the size of the operation, and other considerations—and satisfy consumers' often diverse tastes.⁶

But livestock genetics are no longer a resource of the agricultural commons, maintained by us all. Following several Supreme Court rulings, the most

recent in 2001, that allowed life forms to be patented, genetic control has shifted from farmers and ranchers to specialized genetics companies that hold exclusive contracts with large livestock producers.⁷ A small number of firms now control most of the genetic stock for meat or egg-laying livestock.

In the United States, one company—Hy-Line, originally part of Pioneer Hi-Bred—controls 70% of the market for egg-laying chicken genetics, while the second largest company controls another 20%.⁸

Research by Dr. Harlan Ritchie of Michigan State University finds that six companies control virtually all of the genetic stock for broiler chickens in the United States. Three companies control the smaller market for turkey genetics.

In pork, concentrated ownership of swine genetics has accelerated in recent years as artificial insemination has become popular. Ritchie estimates that ten firms provide over two-thirds of commercial genetic stock for swine.⁹

It's not just the genetics firms that have become concentrated. The number of breeds in common use in the United States has declined as well, and with it, the diversity of the gene pool for livestock. Ritchie estimates that almost all commercial beef production comes from ten breeds of beef cattle. Virtually all white eggs sold on the U.S. market come from a single breed, the white leghorn.¹⁰

A 2003 USDA assessment of livestock genetic diversity sounded a dire warning: of the 17 breeds of swine still raised in the United States, 9 are imperiled, with 6 at population levels so low that they risk extinction. Of the 70 breeds of U.S. chickens, 20 risk extinction, another 20 are imperiled, and still 15 more are considered at risk.¹¹

Why should we be concerned? As breeds disappear, the genetic pool into which farmers can dip for new traits diminishes. Researchers fear that a depleted genetic pool will make our food system more vulnerable to threats from disease or changes in climate or available inputs.¹²

What do companies gain from limiting the breeds of livestock raised? Some analysts argue that



Hogs bred for industrial production are genetically uniform.

Photo by Elanor Starmer

companies are simply responding to consumer preferences.¹³ They note, for example, that hogs are now bred much leaner than they were a half century ago to appeal to health-conscious consumers.

But other analysts disagree.¹⁴ They argue that agribusinesses benefit disproportionately from limiting livestock genetics to a few strains. The rate at which animals turn feed into meat and the speed with which they reach slaughter weight are key considerations for companies focused on cutting costs. And as more and more of our meat is processed in factories whose “disassembly” lines operate at punishing speeds, uniformity in the animal carcass size, weight, and bone structure becomes critical.¹⁵

These qualities may not ultimately benefit the consumer or the farmer. Farmers’ need for breeds that thrive in specific environmental conditions may be bypassed as companies place breeding emphasis on productivity traits. Consumers’ choice may be limited unless they can seek out untraditional retail outlets.

Livestock Production Under Contract Turns Farmers into Corporate Workers

“It is not for the real prosperity of any country that such changes should occur which result in transferring an independent businessman... into a mere servant or agent of a corporation..., having no voice in shaping the business policy... and bound to obey orders issued by others.”

– Supreme Court Justice Rufus Wheeler Peckham in the first court decision on the Sherman Anti-Trust Act, U.S. v. Trans-Missouri Freight Association, 1897

Today’s livestock production system is moving away from traditional forms of buying and selling and toward a system of **contracts**. In their most basic sense, contracts are agreements between a

seller (the producer or **grower**) and a buyer (the **contractor**, which could be a packing company, an agribusiness integrator, or a large cooperative). The grower sells a certain number of animals to the

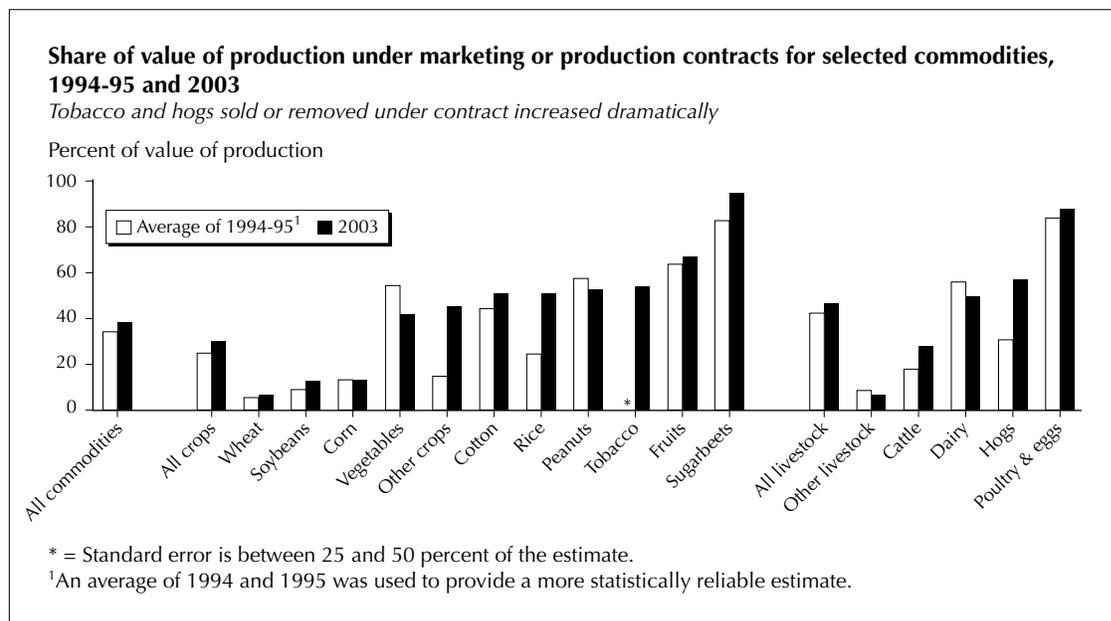
contractor for a price arranged under the contract. Depending on the kind of contract, a grower will hold more or less autonomy in production decisions.

In **production contracts**, which are almost universal in poultry and becoming much more common in the hog sector, the grower generally provides the facilities, fuel, and labor, while the contractor provides inputs such as young animals or genetics, feed, and medicine, and dictates the way the grower will raise the animals. The animals are owned by the contractor throughout their lifespan. Growers are responsible for disposing of dead animals and manure. The grower receives a price for the animal agreed upon when the contract is signed, usually a base price with the option of a

bonus if the grower meets certain production or quality standards.¹⁶

The use of contracts became popular in the broiler chicken industry as early as the mid-1900s. Today, over 90% of broilers are produced under contract, as are 60% of hogs and 30% of beef cattle.¹⁷

When a small number of firms controls the production of livestock to this degree, it is reasonable for consumers, farmers, and communities to raise concerns. Does contract production make our food system more efficient, or weaken it by limiting choice? How can the system be improved?



For many food products, over 50% of production is controlled by contracts.

USDA/ERS (2005): Structure and Finances of U.S. Farms

There are obvious reasons for a grower to sign a contract. Contracts appear to reduce risk because the grower has a set buyer and can agree upon a price in advance. Contracts may make it easier for a grower to secure financing for investments in confinement barns or other equipment, since most banks believe that having a guaranteed market for animals makes contract producers less risky.¹⁸ However, analysts raise a number of important concerns about the contract structure. These issues should raise warning flags for us all: when farmers and farm communities are in jeopardy, so is our food system.

Contracts shoulder farmers with debt. Contract growers may find initial financing easy to acquire, but many take on significant debt in order to build new facilities to the specifications of the contractor. These loans are generally long-term. The contracts, on the other hand, are short-term. If the contract expires or the contracting company leaves the area before the loan is paid off, the grower shoulders the debt burden; in many agreements, there are no provisions barring the contracting firm from early contract cancellation. Some agreements contain mandatory arbitration clauses that force producers to give up their right to bring a lawsuit even in cases of breach of contract or fraud.¹⁹

Contracts are often non-transparent. Contracts are written by the firm, not the grower, and may contain confusing or overly general language. In these cases, contractors may manipulate the agreement to their benefit. The contractor gains additional power over the grower if the payment provision in a contract includes bonuses for “performance factors” such as efficiency or meat quality. These factors will be assessed subjectively by the contractor, and the grower may never see the premiums if the assessment process is applied unfairly. Some contracts also contain confidentiality provisions that prohibit the grower from talking with anyone about the terms of the contract. Such provisions deny growers the right to make informed decisions about benefits and risks.²⁰

Contracts shift risk from the company to the grower. While not technically owners of the animals they raise, many growers are saddled with the heavy burden of pollution clean-up costs. The terms of the contract may also force them to meet production numbers even in cases where disease or other factors shrink the herd size dramatically. In some cases, farmers under contract have been forced to purchase animals from other producers to meet their quota.²¹

Contractors may retaliate against growers who organize. The Agricultural Fair Practices Act of

1967 was passed to protect livestock and poultry producers who organized to bargain collectively with processors. But because of loopholes in the Act, contractors have retaliated against producers who attempt to organize. Contractors have terminated contracts before the agreed expiration date, refused to renew contracts with producers, or moved from the area, leaving producers with a significant debt burden.²²

Contracts don't utilize the knowledge and skills of our farmers and ranchers. Many growers sign contracts because they risk going out of business from low prices on cash markets, because they cannot secure financing otherwise, or because there are no other buyers in their market. They sign contracts because it makes financial sense for them to do so at the time. In doing so, they lose control over production decisions and may even lose ownership over the animals. Contracts transform farmers and ranchers from innovative entrepreneurs into growers with little or no power over decision-making processes on the farm. This loss of autonomy and control raises fears in farming communities of a knowledge drain, as new generations of growers come to rely on contractors to tell them how to run their operation and older farmers find their knowledge underutilized.²³

Concentrated Livestock Production Takes a Toll on Communities

The concentrated, industrialized food system extracts wealth from rural communities and farm households and gives it over to agribusinesses, which have seen record profits in recent years. For example, between 1999 and 2002, returns for poultry companies such as Tyson averaged between 10 and 25%. Meanwhile, poultry growers averaged a zero return on equity because of heavy debt.²⁴

In many rural communities, the local economy is tied to the farm. Farmers need inputs, machinery repairs, and other goods the local economy can provide. But as corporations with national or global reach enter local livestock markets, they will source inputs from wherever it is cheapest, which may not be from within the local community.²⁵ Across the board, economic studies find that industrialized operations spend less locally than smaller farms do.

Ironically, analysts note that communities or local governments often allow industrial livestock companies to operate in their community because the firms have promised to create jobs.²⁶ At the same time, a selling point of industrialization is efficiency: large operations require less labor and source inputs cheaply from far away. Research to date suggests that the employment generating potential of industrial livestock operations is less than advertised. One economic analysis of Missouri hog operations found that a contract facility making \$1.3 million in annual sales generated 9.4 jobs on and off the farm, while an independent operation making \$1.3 million in sales generated 28 jobs on and off the farm.²⁷

Communities Find their Power and Respond to Concentration

Communities, organizations, and individuals around the country have responded to the structural changes in livestock production in many different and creative ways. Federal legislation on food and farm issues offers a critical window to take action to bring fairness to the food system and strengthen the economies of rural communities. Other efforts to pass legislation and build alternatives are taking place on local and regional levels.

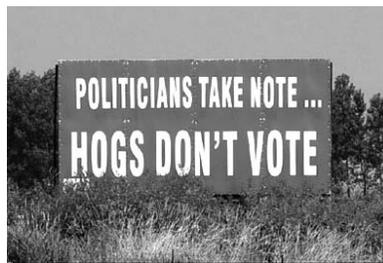


Photo courtesy Factoryfarm.org

Take Action on Farm and Food Policy!

Organizations around the country are pushing for changes to farm and food policy. Every five to seven years, Congress passes a Farm Bill, a comprehensive bill on farm, food, nutrition, hunger and conservation policy. Even in the interim, there are many other opportunities to change policy for the better. You can get involved by reading about proposals on the following websites:

- **Sustainable Agriculture Coalition** - www.sustainableagriculturecoalition.org
- **Food and Water Watch** - <http://foodandwaterwatch.org/food/us-farmbill>
- **National Catholic Rural Life Conference** - www.ncrlc.com/Agric-and-Food-Issues.html
- **RAFI** - www.rafiusa.org/programs/CONTRACTAG/CONTRAG.html

To find out about key moments to contact your legislators, join the **National Campaign for Sustainable Agriculture** at www.sustainableagriculture.net.

Find an organization in your area to join! Both the SAC and NCSA websites have lists of member organizations; you can also find groups on the website of the **National Family Farm Coalition**, www.nffc.net.

Key Proposals to Reform Farm and Food Policy:

- **Include a Competition Title in the Farm Bill.** The Farm Bill is broken up into sections or “titles” that address different policy areas. A Competition Title would include language strengthening existing legislation such as the **Packers and Stockyards Act**, which bans anti-competitive behavior by livestock packers, and the **Agricultural Fair Practices Act**, which was passed to help protect producers from retaliation if they organize and bargain collectively with agribusinesses. It would also strengthen growers’ rights in contracts.
- **Expand Funding for Conservation Programs.** Conservation payments to farmers and ranchers who act as stewards of the land are an important way of valuing the role these groups play in sustaining our food and water resources. Rewarding smaller-scale, more sustainable livestock and crop producers gives them options for income diversification and can help curb the economic power of industrial, concentrated agribusinesses. It will also help safeguard our nation’s biodiversity and slow genetic erosion of plants and livestock.
- **Reform the Farm Subsidy System** so that large agribusinesses can’t exploit this taxpayer-funded program.

Other efforts on state and regional levels...

- **Anti-corporate Farming Laws** have been passed in various forms in nine states. The laws are usually proposed by citizens either through a **public referendum** or a **ballot measure**.²⁸ The general intent of these laws is to protect the family farm model by prohibiting corporate presence in agriculture. Analysts warn, however, that these laws has been weakened by amendments supported by corporate interests. As a result, some types of corporate-owned livestock operations have continued to proliferate.²⁹
- **State or Local Environmental Regulations** sometimes also address structural problems. In 2000, Kentucky declared a public health emergency over pollution from industrial livestock operations. New regulations were written that required environmental permits to be obtained not just by the grower, but also by the contractor.³⁰ The law helps reduce growers' risk in cases of a manure spill or other polluting event.
- **Lawsuits** can compel enforcement agencies to do their jobs or provide producers with compensation for damages. A 1992 suit brought by 300 poultry growers charged ConAgra with fraud and breach of contract after employees were found incorrectly weighing delivery trucks of broilers for slaughter and underpaying growers as a result. The judge in the case awarded the growers compensatory damages of \$17 million.³¹
- **Building Alternatives for Livestock Producers and Consumers** Breeding associations help maintain and disseminate genetic stock from breeds that agribusinesses don't offer. Communities and organizations are also building alternatives through the development of appropriate technology for smaller-scale livestock production, and through training on alternative production systems. Consumers can help by supporting local, alternative livestock producers with their food dollars.

For more information on concentration in the food system:

- **Agribusiness Accountability Initiative:** Impacts of Corporate Power in the Food System. http://www.agribusinessaccountability.org/bin/view.fpl/1198/cms_category/1567.html
- Mary Hendrickson and Bill Heffernan's annual reports to the **National Farmers Union**. Available at <http://www.nfu.org/issues/economic-policy/resources/heffernan-report/>
- Information on concentration, its impacts, and policy options for addressing it is available in a 2004 report by the Democratic staff of the **Senate Agriculture Committee**: <http://www.harkin.senate.gov/agriculture/CommStaffConcentrationPaper.pdf>
- **GRACE's** Factory Farm project: www.factoryfarm.org
- For more information on local, state and regional initiatives to counteract the power of concentrated agribusinesses, see the website of the **New Rules Project**, an effort of the Institute for Local Self-Reliance: <http://www.newrules.org/agri/index.html>

Resources on Agricultural Contracts

- **Neil Hamilton**, Drake University: A Farmers' Legal Guide to Production Contracts. Published by Farm Journal. Call 515-271-4956 to order a copy, or see a summary written by Neil Harl at <http://www.extension.iastate.edu/agdm/wholefarm/html/c4-60.html>
- **USDA/Agricultural Marketing Service:** Contracting in Agriculture: Making the Right Decision. Available at <http://www.ams.usda.gov/contracting/contracting.htm>
- **RAFI's** program on contract agriculture reform: www.rafiusa.org/programs/CONTRACTAG/CONTRAG.html

Resources on Alternatives to Concentrated Agriculture

- The on-line **Livestock Directory** of breeders and breeding associations, www.livestock-directory.com, counteracts the market power of concentrated genetics companies by facilitating access to non-industrial breeds. **Farm Aid** (www.farmaid.org) and websites like **Local Harvest** (www.localharvest.org) help consumers find alternative retail outlets for meat and dairy products.
- The **Sustainable Agriculture Network** (SAN), a project of the USDA/SARE, disseminates research on alternative livestock production systems (www.sare.org/coreinfo/animals.htm). **ATTRA** (www.attra.org) and the **Leopold Center for Sustainable Agriculture** (www.leopold.iastate.edu/index.htm) provide similar information to help producers find options for producing and marketing livestock and help consumers educate themselves about the benefits of supporting smaller scale family farmers.
- Projects like the **Food Circles Networking Project** in Missouri help build local food systems, economies, and communities: www.foodcircles.missouri.edu

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