

# Department of Animal Science

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## POULTRY FARMING AND GOOD NEIGHBOR RELATIONS: COEXISTENCE IS POSSIBLE

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There are benefits for poultry producers to take the time to develop and maintain good relationships with their neighbors and county and local municipal governments. The rural landscape in Tennessee is becoming more fragmented and is demographically changing while the poultry industry continues to expand, so the value of good neighbor relationships is more important now than ever. It does take time for poultry producers to get to know their neighbors and local officials, but it also presents an opportunity to discuss the needs and requirements of all modern farming operations. It also gives poultry producers a chance to be involved in the community and be accessible as a contact for people when they have concerns about poultry farms. This time can prove just as valuable as caring for your poultry flock because of fewer neighbor disputes and greater community support of farming enterprises. Such efforts by the farming community can also pay dividends in the form of a more positive picture of poultry farming and provide insight into the important role individual Tennessee poultry farmers play in feeding America and the rest of the world. Today, one U.S. farm feeds 166 people annually in the U.S. and abroad (AFBF, 2022). This is important knowledge for the public because the global population is expected to reach around 10 billion people by 2050. This means the world's farmers will have to grow about 70 percent more food than what is now produced.

### Litigation resulting from a changing rural landscape

Some of the farmers responsible for reaching this lofty goal will raise poultry on commercial farms in the U.S. but not all of them will enjoy the benefit of good neighbor relations. Residential growth often comes in the form of new residents wishing to escape a hectic city pace. These folks are often drawn to the countryside by what they may envision as a nostalgic agricultural setting that, in most cases, no longer exists. These new neighbors may be unfamiliar and, perhaps, unsympathetic to typical farming practices essential to maintaining a viable farming operation. Often, individuals who have never been exposed to production agriculture will complain about a poultry farm's noise, dust, odor, litter application or especially the

construction of new poultry houses. Today the **demographics of many rural areas of Tennessee are changing rapidly** and becoming more suburbanized. In addition, increased public awareness of environmental sustainability has heightened as the geographic consolidation of agricultural production creates a concentration of agricultural wastes. Such suburban expansion consumes large amounts of the nation’s farmland (Ritz, 2010). As previously rural areas become increasingly developed, local leaders and municipalities previously familiar with the ordinary sights, sounds and smells of farming operations fade away. What’s left is the fact that **few people outside the agricultural community understand** commercial farming practices that are necessarily employed by modern-day poultry farmers to maximize efficiency and minimize consumer cost.

### Legal ramifications

Many people leaving the city hoping to enjoy their perhaps somewhat unrealistic version of the country lifestyle are unaware that common modern-day farming practices do not match their vision of country living. As a result, conflicts can arise between poultry growers and their new neighbors. Neighbors may believe the farm next door is destroying the pastoral lifestyle they moved to the country to enjoy. In turn, farmers may decide their new neighbors have a serious misunderstanding of what it takes to put supper on the table each evening and an extreme lack of knowledge as to where their food comes from.

These differences, left unchecked, may lead to legal action where only the lawyers will come out winners in the end. Time and money are wasted, and the mental and physical health of everyone is affected by the toll that stress takes on all parties involved. In some cases, farmers may find it difficult to expand or remain in operation (Cunningham, 2012). **However, Tennessee, like every other state, has a Right-to-Farm Statute summarized in Figure 1 that provides farmers some lawsuit protection (National Agricultural Law Center, 2020).**

*Figure 1. Summarized Tennessee Right-to-Farm statute.*

#### § 43-26-101. Short title

This chapter shall be known and may be cited as the “Tennessee Right to Farm Act.”

#### § 43-26-102. Chapter definitions

As used in this chapter, unless the context otherwise requires:

(1) “Farm” means the land, buildings, and machinery used in the commercial production of farm products and nursery stock as defined in § 70-8-303;

(2) “Farm operation” means a condition or activity that occurs on a farm in connection with the commercial production of farm products or nursery stock as defined in § 70-8-303, and includes, but is not limited to: marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; the employment and use of labor; marketing of farm products in conjunction with the production of farm products thereof; and any other form of agriculture as defined in § 43-1-113;

and (3) “Farm product” means those plants and animals useful to man and includes, but is not limited to, forages and sod crops; grains and feed crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing; fruits; vegetables; flowers; seeds; grasses; hemp, as defined in § 43-27-101; trees; fish; apiaries; equine and other similar products; or any other product that incorporates the use of food, feed, fiber or fur.

(4) [Deleted by 2019 amendment.]

### §43-26-103. Farms presumed not nuisances

(a) It is a rebuttable presumption that a farm or farm operation is not a public or private nuisance. The presumption created by this subsection (a) may be overcome only if the person claiming a public or private nuisance establishes by a preponderance of the evidence that either:

- (1) The farm operation, based on expert testimony, does not conform to generally accepted agricultural practices; or
- (2) The farm or farm operation alleged to cause the nuisance does not comply with any applicable statute or rule, including without limitation statutes and rules administered by the department of agriculture or the department of environment and conservation.

The Tennessee Right to Farm Act helps protect responsible farms against nuisance lawsuits and overly restrictive local regulations. However, in many cases the best right-to-farm protection is no more than **common sense and being a good neighbor**. Whenever possible, it is much easier and less expensive to prevent disputes before they arise and handle them quickly and efficiently if they do occur. Maintaining good relationships with neighbors make this possible.

## Little things are important

Many Tennessee citizens don't realize that the poultry industry is an important part of our agricultural economy. In fact, broiler chickens are ranked third, behind soybeans (1) and cattle and calves (2), on the list of Tennessee's top agricultural commodities (TN Dept. of Ag., 2021). You can find additional information to share about Tennessee's poultry industry using the links below:

- <https://poultry.guerrillaeconomics.net/reports/b9ab007f-3eea-496c-9b55-3fdedf574338?>
- [https://www.tn.gov/content/dam/tn/agriculture/documents/annualreports/2019-2020%20BiennialReport 8.5x11%20-%2011.9.21.pdf](https://www.tn.gov/content/dam/tn/agriculture/documents/annualreports/2019-2020%20BiennialReport%208.5x11%20-%2011.9.21.pdf)
- [https://www.nass.usda.gov/Statistics by State/Tennessee/Publications/County Estimates /2021/index.php](https://www.nass.usda.gov/Statistics%20by%20State/Tennessee/Publications/County%20Estimates/2021/index.php)

### Simple ways to prevent problems

There are simple things poultry producers can do to prevent conflicts with neighbors from getting out of hand. **Good communication is one of the best strategies for reducing conflicts.** Neighbors may not always become good friends but it's important to make acquaintances. People that know each other are more likely to approach each other and try to solve potential conflicts as they arise. Poultry growers should make it a point to visit neighbors on occasion, particularly if farm activities (spreading litter, nighttime catch) could soon affect plans your neighbors may have. It's better to let them know ahead of time rather than have them surprised and awakened when the catch crew and live-haul trucks start rolling in at 2 a.m. By visiting with them and keeping neighbors informed, it is less likely that issues will escalate and get out of hand. Fewer conflicts arise when good relationships are established with neighbors. Being a good neighbor yourself and treating people with respect, accommodating neighbors whenever possible and helping when neighborly help is needed can lay the groundwork for successful relationships.

Recognize that operating a poultry farm (Figure 2) comes with multiple challenges besides the day-to-day farm management requirements. There are **numerous people that smell with their eyes** instead of their noses. Manage a clean, neat, well-run operation, because that is one of the

best ways to reduce complaints. Your neighbors will often be more tolerant of dust or odor from a well-managed operation than from an untidy one. It requires extra time and effort to keep the grass mowed on a regular basis and maintain a farm with a well-groomed appearance, but this neat appearance will be well worth the effort from a public relations standpoint.

**Ultimately, most of your neighbors are also your customers** because they purchase the very poultry products you are growing on your farm. Poultry farming is a business, and businesses need happy customers. A few common sense practices can go a long way toward fostering good relations and keeping neighbors (and customers) happy. If neighbors are gardeners, some free chicken litter for their garden is often a welcome gesture. The amount may seem a small gesture since you'll have many tons of litter on the farm, but the gesture can be huge and promote additional good will and friendship, as well as a better understanding of the beneficial use for poultry litter applied to nearby crops and forages. Help out, for example, by smoothing a neighbor's driveway with your tractor and blade or front-end loader or removing snow in the winter. This can earn you much good will. If a complaint does arise, address it quickly and tactfully. Be sympathetic and realize that there may be times when, for the sake of the farm, it is best to apologize and offer to be more accommodating in the future. Apologizing may help to diffuse the situation and perhaps even prevent legal action in the future.

Many times, particularly for those individuals that tend to smell with their eyes, **out of sight is out of mind**. Consider screening the poultry houses from public view. Vegetative airshed buffers and windbreaks are old technologies that have many benefits for today's tunnel-ventilated poultry houses (Tabler and Liang, 2008; Tabler et al., 2022). Also, **consider pollinator plots** to benefit bees and other pollinators and reduce the amount of mowing required during the summer. Include a variety of wildflowers to attract pollinators which also directs attention away from the chicken houses. Then, don't worry about mowing the pollinator plot area until after the first frost in the fall.

### **Mortality management**

One of the two most common complaints received by University of Tennessee Extension is improper mortality management. **Mortality disposal** is a critical management point area where poultry farmers must be vigilant about how their practices may affect public perception. Improper mortality disposal is simply not something neighbors or the general public will tolerate. Proper handling of mortalities begins immediately upon removal from the chicken house. Do not toss dead birds outside the chicken house door and leave them extended periods of time for the neighbor's dog to find and drag back home. If you use a composter, **make sure mortalities are always adequately covered**. **Cover prevents nuisance flies** and animals and vultures from digging carcasses out. Once they learn that a free meal is there, it is extremely difficult to prevent them from digging it. Large numbers of vultures are seen by your neighbors, particularly those with beef cattle, as more than just a nuisance. Finally, optimize your compost performance using a compost thermometer on a regular basis. Temperature should be in the 120 degrees F range as the bin is filling and may reach 130 to 150 degrees F as the carcasses are broken down. After the flock is harvested and you're no longer adding birds daily, peak temperatures will fall back to the 100 to 120 degrees F range (may take two to three weeks) in a bin composter. At this point, the material is ready to turn out of the bin to re-supply oxygen to the microbes for further decomposition. With alleyway composters, if the windrow is constructed properly (proper

moisture content, proper C:N ratio, adequate air infiltration through the material, etc.), the decomposition process will continue without turning.

If you use a mortality incinerator, **use a fast, hot burn** to rapidly dispose of the carcasses. A slow burn allows the carcasses to smolder longer, generating increased odor. **Incinerators with afterburners usually generate fewer complaints.** The afterburner reburns the smoke particles which contain odorants, thereby lessening the amount of odor released. If possible, burn carcasses during the day, not early morning or evening when the air is still, more humid and heavier, which allows odor to stay concentrated and hang closer to the ground instead of rising and dissipating.

### Land applying litter

Another common complaint received by UT Extension is odor when litter is land applied. It is inevitable that spreading litter will generate dust and odor for at least short periods of time. **Plan litter applications carefully so that concentrated odors do not reach neighboring property lines.** Often, strong odor is assumed by neighbors to indicate that litter application rates are way too high, in essence an illegal disposal practice. Many poultry producers do not realize that **complaints to TDEC, which are often first focused on odor, transition to improper waste disposal accusations which requires an inspection/site visit.** To avoid this scenario, first make neighbors aware that soon you will be spreading litter to fertilize a particular field in the future. You can protect yourself from accusations of over-applying by utilizing UT Extension publication [Litter Land Application Management W 796](#), a simple worksheet to calculate agronomic litter application rates for a particular field and crop. On the day you spread, check wind direction and make sure rain is not expected within 48 hours. It's best to spread during the hot part of the day when most people are at work so that the sun can dry and reduce odor before everyone gets home. Do not spread litter early in the morning and late evening when the air is still and the humidity is high because odor will not disperse but tend to hold near the ground. Be careful and considerate and give yourself enough buffer (50 feet) so there is no chance that your equipment will place litter onto roads or highways or onto a neighboring property.

Education is key for both farm and nonfarm populations. Farmers are busy trying to manage their operations and keep the farm solvent in today's challenging economic times. Faced with increasing governmental rules and regulations in some regions of the country, high fuel prices, extreme weather conditions, and other challenges, farmers may fail to realize that most people today are generations removed from the farm and do not understand what it takes to be successful in agriculture. On the other hand, the non-farming public does not comprehend the stresses and demands of farming and the sacrifices farmers make to put food on the table for everyone and, as a result, these individuals may be intolerant and unwilling to accept the occasional noise, dust, odor and other inconveniences that farming practices cause them.

## Summary

Most people today did not grow up on or near a farm and are unfamiliar with typical farming practices. Often, it is this lack of knowledge or information on modern farming practices and techniques that leads to complaints. However, it's this lack of knowledge that offers a valuable teaching moment for the agriculture community, including the poultry industry. While keeping biosecurity as a top priority, the industry and its growers should seek out opportunities to educate



neighbors and others on poultry farming practices and agriculture in general. This may help address problems before they arise as people may be less likely to complain if they understand that there is **sound scientific principle behind what farmers do** and that they're not just managing their farms carelessly and being inconsiderate. Also, while actions taken to manage the farm are important, farmers should not forget that **becoming involved in community-level activities** can improve farm-nonfarm relationships (Kelsey and Abdalla, 2008). **Serving on the ag committee** of the local Chamber of Commerce or **ag advisory board** of your local bank can put poultry farms in a helpful position to inform the public about the needs of farmers and agriculture in general. Assisting local agricultural organizations with educational activities and outreach programs for non-farmers also promotes the critical role of agriculture and farmers in every community.

*Figure 2. Poultry farm where broiler chickens are grown.*



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